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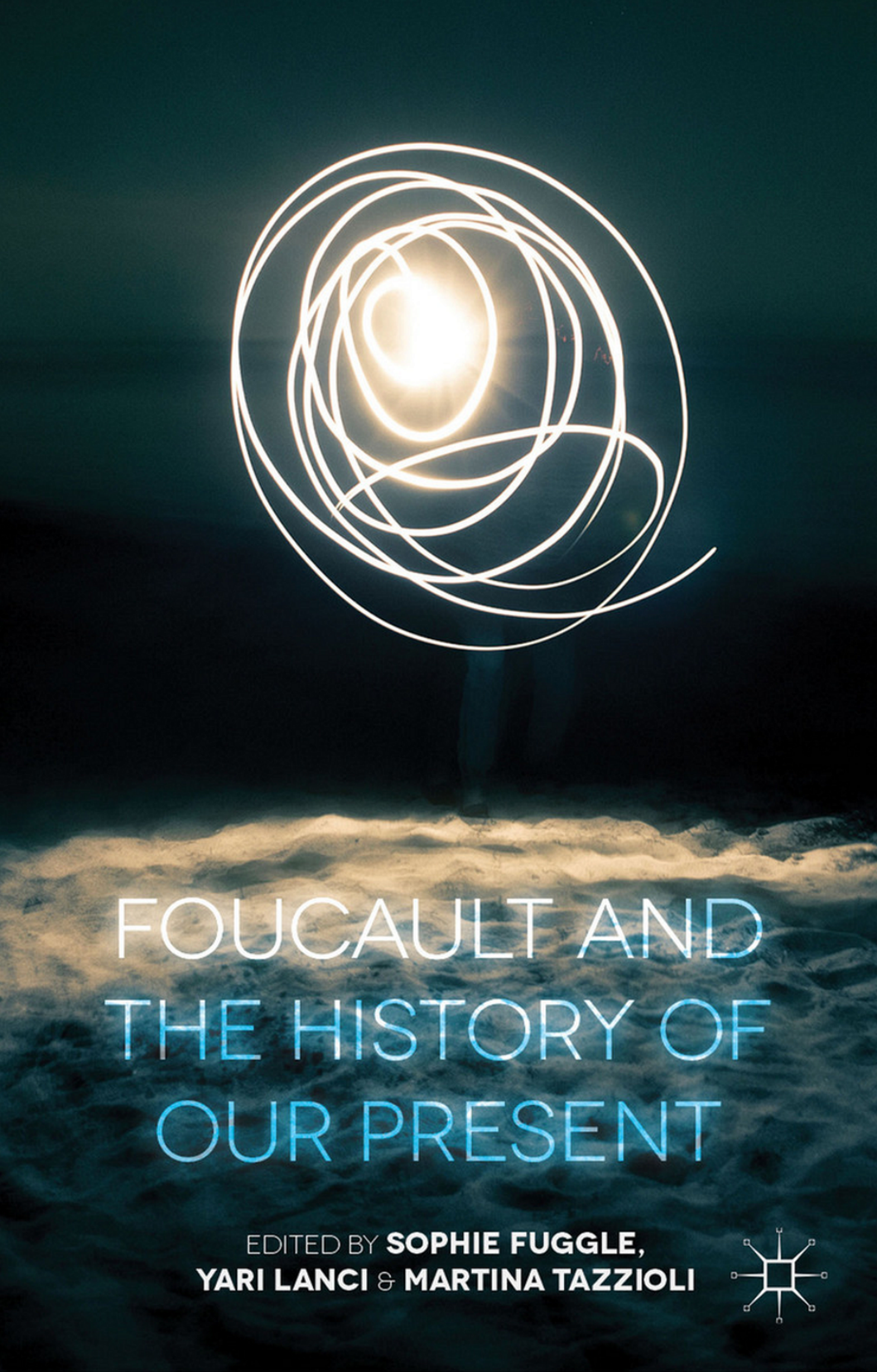
FOUCAULT AND
THE HISTORY OF
OUR PRESENT
EDITED BY SOPHIE FUGGLE,
YARI LANCI & MARTINA TAZZIOLI

Foucault and the History of Our Present

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Edited by

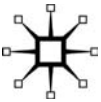
Sophie Fuggle
Nottingham Trent University, UK

Yari Lanci
Goldsmiths, University of London, UK

and

Martina Tazzioli
University of Oulu, Finland

palgrave
macmillan



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Notes on Contributors

Alain Brossat is Professor Emeritus, Department of Philosophy, University of Paris VIII. His publications include *L'Epreuve du désastre, le XX siècle et les camps* (1996) and *Droit à la vie* (2010).

Laura Cremonesi works on contemporary French philosophy and she has published articles and book chapters on Michel Foucault and Pierre Hadot. She is the author of *Michel Foucault e il mondo antico. Spunti per una critica dell'attualità* (2008).

Sophie Fuggle is Lecturer in French at Nottingham Trent University. She is the author of *Foucault/Paul: Subjects of Power* (Palgrave, 2013).

Orazio Irrera is a research associate at the Centre de philosophie contemporaine de la Sorbonne at the University of Paris 1. He is the editor of the journal *materiali foucaultiani* and author of *Généalogies postcoloniales. L'insertion de l'éthique dans la politique chez Foucault, Said, Gandhi* (forthcoming).

Yari Lanci is a doctoral candidate in the Department of Politics at Goldsmiths, University of London. His current research project focuses on current transformations of armed conflicts and their relation to new regimes of capital accumulation. He is the author of *Violence and Vigilantism: The Case of Alan Moore's 'Watchmen'* (forthcoming).

Daniele Lorenzini has a PhD in Philosophy from the Universities of Paris-Est Créteil and La Sapienza, Rome. He is the author of *Jacques Maritain e i diritti umani* (2012), and co-editor of *Michel Foucault: éthique et vérité* (2013) and *Michel Foucault, L'origine de l'herméneutique de soi* (2013).

Mark Neocleous is Professor of the Critique of Political Economy at Brunel University, UK, and a member of the Editorial Collective of *Radical Philosophy*. He is the author of several books, including *Critique of Security* (2008) and *War Power, Police Power* (2014).

Saul Newman is Professor of Political Theory at Goldsmiths, University of London. His research is on continental and post-structuralist political thought, postanarchist theory, and continental radical politics. He is the editor of *Max Stirner* (2011), author of several books, including *The*

Politics of Postanarchism (2010) and co-author of *Agamben and the Politics of Human Rights: Statelessness, Images, Violence* (2013).

Mathieu Renault has a PhD in Political Philosophy (Université Paris Diderot-Paris 7, Università degli Studi di Bologna) and is a postdoctoral fellow at Université Paris 13 Nord/Sorbonne Paris Cité. He is the author of *Frantz Fanon: De l'anticolonialisme à la critique postcoloniale* (2011).

Judith Revel is a professor at the University of Paris 1 Panthéon-Sorbonne, a researcher at the Centre de philosophie contemporaine de la Sorbonne and a member of Centre Michel Foucault. She works on contemporary philosophy and the way in which a particular practice of philosophy tries to intervene with the present. Her publications include *Michel Foucault. Une pensée du discontinu* (2010), *Un malentendu philosophique. Foucault, Derrida, et 'l'affaire Descartes'* (2014), *Foucault avec Merleau-Ponty. Ontologie politique, présentisme et histoire* (2014).

Sanjay Seth is Professor of Politics at Goldsmiths, University of London, where he is also Director of the Centre for Postcolonial Studies. He has written extensively on postcolonial theory, social and political theory, and modern Indian history. His writings include *Subject Lessons: The Western Education of Colonial India* (2007), (as editor) *Postcolonial Theory and International Relations: A Critical Introduction* (2013), and numerous articles. He is a founding co-editor of the international journal *Postcolonial Studies* (1998–Present).

Federica Sossi teaches Aesthetics at the University of Bergamo. She coordinates the website storiemigranti.org and she is the author of *Autobiografie negate. Immigrati nei Lager del presente* (2002), *Storie migranti. Viaggio tra i nuovi confini* (2005), *Migrare. Spazi di confinamento e strategie di esistenza* (2007)

Martina Tazzioli has a PhD in Politics from Goldsmiths, University of London. She is a postdoctoral researcher at the University of Oulu (Relate centre). She is on the editorial board of the journal *materiali foucaultiani* and is the author of *Spaces of Governmentality. Autonomous Migration and the Arab Uprisings* (2014) and co-editor of *Spaces in Migration. Postcards of a Revolution* (2013).

Tiziana Terranova is Associate Professor of Cultural Studies and New Media in the Department of Social and Human Sciences, University of Naples "L'Orientale", Italy. She is the author of *Network Culture: Politics for the Information Age* (2004) and co-editor with Couze Venn of a special issue of the journal *Theory, Culture, & Society* on Michel Foucault. She is

currently working on a book about Foucault, Marx and Social Media for University of Minnesota Press.

Alberto Toscano is Reader in Critical Theory, Department of Sociology, Goldsmiths, University of London. He is the author of *Fanaticism: On the Uses of an Idea* (2010) and *The Theatre of Production: Philosophy and Individuation between Kant and Deleuze* (2006), as well as co-author, with Jeff Kinkle, of *Cartographies of the Absolute* (2015). He has translated numerous works of philosophy and political thought, including Alain Badiou's *The Century* (2007) and *Logics of Worlds* (2009), Franco Fortini's *The Dogs of the Sinai* (2013) and Furio Jesi's *Spartakus* (2014). He edits the Italian List for Seagull Books and sits on the editorial board of the journal *Historical Materialism*.

William Walters teaches Political Sociology at Carleton University. He has published widely in the areas of migration and citizenship studies, the political sociology of states and international government, and the history of the present. His most recent book is *Governmentality: Critical Encounters* (2012). He is currently researching the traffic of migration.

Introduction

Martina Tazzioli, Sophie Fuggle and Yari Lanci

In 1973, Michel Foucault defined himself as a journalist for his attention to the present and philosophy as a practice of 'radical journalism' that tries to transform the present reality (Foucault, 2001c: 1302). In this way, the diagnostic of the present is connected from the outset to a transformative work up against existing power relations that points to reversing the balance between process of subjection and subjectivation. The reference to journalism percolates many of Foucault's texts, and it is also mobilized to address events as they unfolded, as is the case in his reporting on the Iranian uprisings in 1978–9. Here, Foucault was confronted with a political movement that could not be encoded into the script of the revolution that had 'overshadowed history, organized our perception of time, and polarized people's hopes' (Foucault, 2001d: 450). The Iranian uprisings engendered a deep reconfiguration of the relationships of the Iranian people to modernity as well as the relationships between politics and religion, opening to an experimentation of new forms of subjectivation. In fact, the openness and the unpredictability of the impact of revolutionary events are ultimately restaged in the texts of 1983 and 1984 on the *Aufklärung*: there, the question of 'our present' (*what is this present that we belong to?*) is approached through an experimental attitude in which 'the critique of what we are is at one and the same time the historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them' (Foucault, 2003: 319). This critique suggests that an analysis of the present requires a constant dislocation from the space where we are and from the spatial coordinates that define the present reality we belong to. For this reason, it is not by chance that by introducing the task of an 'ontology of ourselves' Foucault ultimately leaves the boundaries and the meaning of the pronoun 'our' quite elusive: in fact, the

present we belong to does not fully coincide with the geographic space of a given community or of a nation; on the contrary, it is at the same time what needs to be produced and re-enacted from time to time, not simply as singular subjectivities but along with the others who share 'our present'. However, the 'invention' and the transformation of the present, as well as the redefinition of the 'we' that we seem to belong to, neither happens in a void nor do they irrupt in the form of an event transcending history: rather, it is the provisional outcome of the gap between the existing space of power relations in which we are situated and the production of a possible difference and transformation of these relations which start with the 'impatience for liberty' (319). Nevertheless, this simultaneous move of diagnosis and transformation from within the present that shapes the contours of the 'we' is not a task, Foucault suggests, that can be undertaken individually. The *Aufklärung* as the exit from the state of minority that engages in 'a permanent creation of ourselves in our autonomy', on the one hand (314), and on the other, the permanent virtuality of the revolution as a collective dimension that needs to be constantly reactivated – the revolution as 'an operational value in history' (Foucault, 2010: 20) – represent two moves that cannot be separated: the insurrection of singularities is coupled with the incessant work of reshaping the 'we' to which we belong, forcing its limits and reworking its boundaries. Indeed, firstly, the revolution as a sign addresses a collective dimension to the extent that it reminds the people of the possibility of building their own political constitution; and secondly, the revolution is designated by Foucault as movement, more than as an event, that brings forth the process of exiting from a state of minority (Foucault, 2010: 18).

Hence, the relation to our contemporaneity is conceived as a belonging and, at the same time, as a task to be accomplished (Foucault, 2003). It is up to us to find the revolutionary event from which a transformation of reality, and it remains an open ethical-political task that does not necessarily coincide with the narrative of events set out in historical texts. To put it in a nutshell, the event as well as the 'we' of our present need to be constantly produced and transformed. In this way, the history of the present designates precisely the point where historical reflection and a critical attitude from within and towards the present articulate the production of a difference within history.

The expression 'history of the present' appears for the first time at the end of the first chapter of *Discipline and Punish*, actually in opposition to a 'history of the past in the terms of the present' (Foucault, 1993: 34). In that context Foucault undertakes a history of the prison, asking whether

such an inquiry constitutes a mere anachronism. Actually, it is not an anachronism, Foucault responds, provided that it is a history of the past in terms of the present. Instead, in the late 1970s and early 1980s, the history of the present is reintroduced by Foucault as his own main intellectual and political task, in light of the philosophical journalism mentioned above. However, it should be observed that in *Discipline and Punish* the point is also not to disqualify a history of the past but rather to stress how the study of the past – in terms of political technologies and mechanisms of power – is conceived by Foucault precisely in relation to the present, finding the continuities and the interruptions at stake there. And conversely, the present will become a readable object of transformative politics only through a genealogical account of its emergence that highlights the contingency of historical trajectories. The critical work of finding lines of fragility in power and the historical limits of the current forms of subjectivity is coupled in the late Foucault with the 'possibility of not being, doing or thinking anymore what we are, what we do or what we do not do' (Foucault, 1984: 316). Thus, far from corroborating the current reality, the history of the present points to a disengaging move towards the present, making history work as a source for becoming different in the light of the contingency of the present and the past likewise.

Putting Foucault to work in our present: this formula entails two *entry points* and at the same time two interrogations through which the present is questioned. On the one hand, putting Foucault to work in our present means interrogating how to reread and mobilize Foucault within our contemporaneity, especially in light of the political events, class compositions and mechanisms of power which bring to the fore the awkward tensions at stake in Foucault's analyses and lead us to rethink and actualize his toolbox. On the other hand, it engages in a diagnostic of the present, exploring how some of Foucault's concepts and perspectives could work as political and theoretical 'picklocks' or as useful analytics to better grasp the transformations at stake today, the new political technologies and the current sites of governmental struggle. Therefore, to ask why and how we can make Foucault work in our present involves engaging with the issue of the 'uses' in order to fully understand the various ways Foucault's notions and analyses might provide us with methodological tools and analytical instruments for unpacking current regimes of power-knowledges. Indeed, over the last two decades there has been an increasing proliferation of studies which make use of Foucault in multifarious ways occurring in different academic domains, well beyond the boundaries of philosophy departments: by addressing Foucault as a

specific and politically engaged intellectual, by using only some of his concepts, by putting him to the test of current power transformations or, finally, by proposing a Foucauldian reading of certain phenomena. However, this eclectic spectrum of experimentation in the use of Foucault's toolbox has contributed to the crystallization and 'normalizing' of the French philosopher into an overwhelming analytical grid for keeping up with the frantic underway transformations of political subjectivities, apparatuses of constraint and governmental technologies at play in our present. The gesture of freezing Foucault's 'anarcheology' (Foucault, 2012) and its unceasing dislocations into a stable grid has in part faded Foucault's troubling force against regimes of power and truth, neutralizing his claim for the unacceptability of powers that in Foucault's work is associated with his genealogical approach.

Once the intricacies of the notion and the meaning of 'use' are set out, it becomes necessary to return to the lynchpin of this collective work, namely, the task of a history of the present. Actually, the idea of a history that addresses the current reality seems a counterintuitive and untenable statement because of the orientation of historical method towards the past. Does this mean that the surface of underway events is immediately put at a distance through an analytical posture which aims at dissecting it as a stable object of inquiry? Does it indicate a substantial analogy between the method of approaching and reading the present context of power relations, on the one hand, and forms of governmentality at play in the past, on the other? It is not difficult to guess that the answer cannot be other than negative, as Foucault would no doubt subscribe. Indeed, when Foucault refers to the task of a history of the present in 1984, he designates a primarily polemical and experimental attitude towards living within the spaces of the present.

Most of all, we should not overlook that Foucault's history of the present cannot be detached from what, since 1967, Foucault has defined as a 'diagnostic': 'what I'm trying to do' Foucault argues, 'is to make a diagnostic of the present, to tell what we are today' (Foucault, 2001a: 634); and in this frame philosophy is conceived as an activity that entails a 'work of excavation under one's own feet' (634). This last sentence illuminates the relationship between the act of writing *in* and *of* the present and a genealogical approach towards this present, in its relationship to the past. In fact, the history of the present neither flattens current struggles and events on the surface of contemporaneity, nor does it analyse them simply as historical objects. Rather, it is situated precisely at the junction between a genealogical account which retraces the conditions of emergence of the present regimes of power/knowledge, and an

attentive scrutiny of the disjunctions at stake in our present in relation to the past. Then, it appears as a history at the very limits of any possible history, since a history of the present necessarily needs to come to grip with the discontinuities that mark the contemporaneity in which we live. Nevertheless, from a Foucauldian perspective both history and the present acquire a peculiar inflection: in opposition to any reading which locates events within a given space and fixes subjects to a position, the diagnostic of the present needs to be done according to 'lines of fragility in the present [...] which open up the space of freedom understood as a space of concrete freedom, that is, of possible transformation' (Foucault, 1998: 449–50). In this sense, the diagnostic work as an experimental attitude is always a history *in* and *of* the present. And in a similar vein, to deal with Foucault in the present day does not simply imply testing the validity and the limits of Foucault's tool-box or using this as a purely explicative lens. On the contrary, it requires taking on Foucault's attitude and concepts as possible tools for keeping open the space of freedom, refusal and transformation at stake in any present.

Rewriting the present

Moreover, to begin to write the history of 'our' present, and to position Foucault firmly within this history, demands that we first 'read' Foucault's own history. A threefold process is best understood through the French term *histoire*, which brings together the socio-political context of his work, his highly specific understanding and critique of 'History', as grand narrative, and the personal circumstances of his own 'story'. If it is evident why we cannot simply transpose the statements made by Foucault concerning the emergence and development of various forms of power, discourse and subjectivity onto our own historical moment, it is perhaps less evident why precise attention needs to be paid to his biography.

Speaking in 1969 shortly after Roland Barthes had declared the 'death of the author,' Foucault warned against the production of the author as unified subject, bound by the notion of his oeuvre. In establishing an inextricable link between writer and text, both are rendered subservient to a notion of authorship, which seeks to explain everything from laundry lists to published monographs in terms of personal predilections and pathologies (Foucault 2001b: 882). James Miller's controversial biography, *The Passion of Michel Foucault*, is an impressive exercise in taking this notion of authorship to the extreme (Miller, 1993). Here, Miller brings various, unrelated episodes from Foucault's

life under the umbrella of a 'death wish.' A doubling thus occurs in which the real, physical death of the writer breathes life into an imagined, fictional author who haunts both published and unpublished texts as a spectral figure, demanding an eternal reverence which risks limiting reading, all reading, to the purely exegetical. If, somewhat ironically, Foucault is implicated in the production of this zombie author, the posthumous voice from beyond the grave, whispering eerily that he will not be Kafka to Defert's Max Brod (Bellon, 2007); this is nevertheless a whisper that grows ever fainter with the publication of yet another year of lectures from the Collège de France. At the same time, the murmur of speculation as to the possible publication of *L'Aveu de la chair*, the missing fourth volume of *L'Histoire de la sexualité*, grows ever louder amongst the theory vultures keen to feast on every last scrap of this textual flesh.

There seems to be little critical mileage in this affirmation of Foucault as author. But what of Foucault the reader? An equally fictional product of our collective imaginations, perhaps, but one which, acknowledging Roland Barthes, might provide us with an approach which opens up rather than shuts down the possibilities for engaging with Foucault within the context of now. How did Foucault read his own moment? He read his moment as a reading of political events, public institutions and personal relationships, itself located within a wider reading of literature, philosophy, artworks, treatises, penal codes, architectural drawings, prison timetables and matricidal confessions. How was Foucault critical of existing reading practices as well as his own? What might we learn about reading not only against the grain of existing texts but, at the same time, against that of existing canons? Moreover, how might we explore the tensions between 'living' and 'reading' a moment yielded up in Foucault's work within the context of our own activity as activists, researchers, teachers, writers, subjects and individuals? Where and when do we stop 'reading' and begin 'acting'?

Spaces of power and power of spaces

Foucault's genealogies are characterized by the spatialization of dispositives of power – bodies, discourses, techniques of government and struggles. Indeed, as Foucault explains in the interview with the geographers of the journal *Hérodote*, a spatial perspective allows us to historicize power relations and to grasp them in their transformations (Foucault, 1980). In this way, relations between historical investigation and spatial

gaze work simultaneously in two directions: the cartography of powers situates historical analysis within a spatial economy of power/knowledges, also tracing the boundaries of its geographical location; at the same time, the historical and genealogical gesture makes us see space not as a neutral signifier or as the surface of the events but rather as the provisional outcome of a certain configuration of powers/resistances. Space is not an analytical starting grid through which events are located on a map, but rather it is an ongoing changing object of analysis which needs to be historicized. The gesture of putting in motion space within history, considering the space itself as a *subject of* and *subject to* the field of power relations makes the history of the present also a history through and of spaces. *Spaces of power*: relations of power are always inscribed in space and contribute to the shaping of a certain spatial economy. By the same token, in Foucault's view spaces are eminently productive – of borders, of disciplining mechanisms and of differentiations: *power of spaces*. Moreover, it is important to point out that the spaces addressed by Foucault do not necessarily correspond to geopolitical units such as states or nations: the heterogeneity of spaces explored (spaces of confinement, spaces of illegalism and spaces of governmentality) indicates that the boundaries of a given space are traced by the economy of power/knowledge that sustains these. The spatial reference immediately evokes the issue of 'other spaces', namely those spaces that Foucault has deliberately left outside of his genealogies and that are similarly overshadowed in any analysis which is circumscribed to a specific regime of power. In fact, it is at the core of many chapters in this book that the colonial and postcolonial dimension confronts us with the coexistence of uneven spatialities, economies of power and temporalities. Nevertheless, this book aims neither to put Foucault to the test of the colonial legacies nor to interrogate Foucault's failures and lacks regarding the non-Western world. Rather, it approaches the question of 'other spaces' by complicating Foucault's genealogies in light of current mechanisms of power and processes of subjectivation: the history of the present needs to get to grips with the heterogeneity of spaces and with 'other spaces' in terms not only of an 'outside' but of the multiplicities and the complexity of spatialities simultaneously at stake in our present. In this way, the present that the Foucauldian gaze dissects and opens up to spaces of freedom, actually diffracts and multiplies in different geographies of power. Indeed, it cannot go unnoticed that this differentiation of spaces and temporalities was stressed by Foucault in 'The Stage of Philosophy' as one of the main assumptions upon which

his spatial perspective was based: 'the European space is not space in its entirety; [...] we are living in a series of polymorphic spaces, and secondly [...] there is not one history but several, several different times, several durations, several velocities intertwining, crossing, and thus in turn creating events' (Foucault, 2011). At the same time, the pronoun 'our' also implicated in the Foucauldian history of the present becomes problematized through the lens of such a spatial analysis: the question 'what is our present, the moment in which we are living?' requires a parallel inquiry on the consistency and the composition of the implicit space of belonging that is, the correlate of the interrogation. This 'we' needs to be opened up and traversed by the multiple genealogies of subjectivity that form the supposedly well-bounded present reality.

Foucault's spatial approach to the history of the present leads to a fundamental decolonization of politics: he sidesteps and refuses the use of the binary divisions that underpin the spatiality of Western political thought (inside/outside, inclusion/exclusion) as well as the unquestioned political grid and yardsticks, such as democracy. As a matter of fact, Foucault's philosophical gaze neither replicates nor retraces existing political cartographies that codify insurrectional knowledges and practices of struggle into the epistemic and political boundaries of democracy and citizenship, as master signifiers of modern Western thought. Foucault's analytics of power enables us to disengage from a political and conceptual field through which movements and discordant practices of freedom are encapsulated into the language of representation. Indeed, in Foucault there is not something like a 'pure' political space: political concepts are precisely what in Foucault's genealogy are read in their historical emergence and transformations, and they are the outcome of specific sites of struggle. Something always exceeds or escapes the supposed progressive thread of history and of its narratives in which that of modernity is one of the most overwhelming and unquestioned. Foucault's history of the present entails challenging any history written from a 'comfort zone' and, at the same time, maintaining an ongoing openness of the present to transform since, as Foucault remarkably argues in 'Friendship as a Way of Life', 'there ought to be an inventiveness special to a situation like ours; [...] the program must be wide open' (Foucault, 1997: 139).

The contributions of this book hinge on and bring forward the openness of Foucault's work to possible multiple and heterogeneous usages in our present. Therefore, the theoretical stake does not consists in replicating Foucault's analyses in the spaces of the present: on the contrary,

they shed light on emerging spaces and sites of subjectivation and struggle. History of the present, spaces of governmentality, troubling subjectivities and the politics of truth are the four main axes on which these contributions centre. But all the four Foucauldian analytics – history, governmentality, subjectivity and truth – are not simply put to work in the present: rather, they are the object of resignification and are put to the test of postcolonial spaces and the current mechanisms of power, subjectivation and subjection. From this perspective, to work with Foucault today also means to engage in the effort of what Foucault called 'a sagittal relation' to our own present (Foucault, 2010: 14) – envisaging possible a mode of action from within our present and transforming it; such an intervention within and beyond the limits of the present starts from the very practice of knowledge production, aware of the fact that 'knowledge is not made for understanding; it is made for cutting' (Foucault, 1984: 88).

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Part I
Histories of the Present

1

'What Are We At the Present Time?' Foucault and the Question of the Present

Judith Revel

1

The starting point for the question of the present is Foucault's triple reading, which today is very well known, of the Kantian text *What is Enlightenment?*. Foucault had been interested in the text since 1978, carrying out an extensive analysis at a talk given that year at the *Societé Française de Philosophie*. In this first reading, the attempt to distinguish critique on the one hand – as way of finding the limits of our capacity to know – and the *Aufklärung* on the other – as an attitude towards our own present – is still made in terms of a strong historical analysis. Foucault explicitly announces his intention to do 'a history of this critical attitude'; and indeed, in the first reading, Foucault traces at least four moments, characterizing these in terms of their specificity of thought and practices, stressing their differences: the Christian pastoral, the explosion of the art of government 'starting from the XV and the XVI Century', the moment of the Enlightenment as the emergence of the 'art of not being governed' and then, in relation to a present more contemporary to Foucault, a certain number of references including, most notably, to the Frankfurt School. In similar fashion, alongside these chronological references which delineate his analysis, Foucault puts into play a differentiation of places – through the opposition 'in Germany/in France' – as if it is a question of redoubling the history of the systems of thought with a geography. Some years later it is precisely this quite traditional schema of Foucault's work – proceeding through periodizations

(and together, through a mutual differentiation of these periods) on the basis of the way in which they structure their economy of representations and practices – that seems to be inflected and reformulated along another axis: the relationship to our present. Indeed, in the two texts published in 1984 – one (published) in the US, the other in France – the mode of analysis shifts.

This appears on the surface to be a matter of engaging in the same exercise as in 1978, tracing the history of the way in which this event called '*Aufklärung*' emerged at a certain time; it is an event that has redefined the practice of philosophy – and of the modernity within which that practice was situated – as a problematization of contemporary reality [*actualité*]. In the text published in the US, the first pages are dedicated, in a quite expected way, to the contextualization of Kant's text (with reference made here to Mendelssohn and Lessing) and to classifying the ways in which philosophy had thought, until that time, about the theme of the present. Foucault finds three main forms, associated with three figures, that are in turn emblematic of three moments of the history of thought: Plato, Augustine and Vico. In the same way, in the text published in France in May 1984 – an extract from his lecture given at the Collège de France on 5 January 1983 – Foucault contends, apparently with no ambiguity, that

> The *Aufklärung* is a period, it is a period which designates itself, formulates its own *motto*, its own precept, and says what it has to do, as much in relation to the general history of thought, reason, and knowledge as in relation to its own present and to the bodies and forms of knowledge, ignorance, illusion, and institutions, etcetera in which it can recognize its historical situation. [...] In this question of the *Aufklärung* we see one of the first manifestations of a certain way of philosophizing which has had a long history over the following two centuries. After all, it does seem to me that one of the major functions of what is called 'modern' philosophy – whose beginning and development can be situated at the very end of the eighteenth century and in the nineteenth century – one of its essential functions is questioning itself about its own present reality [*actualité*] (Foucault, 2010: 14–15).

The quotation is clear, and the number of markers pointing to the need for a precise work of historicization – 'period', 'general history', 'historical situation', 'long history' and 'beginning' – exist to reassure us: we are fully within the Foucaultian methodology. It is the historical context – which does not exclude a certain thickness of time: we talk

here of a medium length periodization since it is a question of describing a phenomenon 'that has had a long history for two Centuries' that is once again at the core of the reading suggested by Foucault. Besides, it is always against the background of a differentiation between consecutive epistemic forms that it is possible to retrace the emergence of the system of thought typical of a certain age. Thus, just as the analysis of madness in the Classical Age hinges on a quick recall of the figures of the mad during the Renaissance; just as *The Order of Things* starts with a description of the way in which the mediaeval thought still used to enmesh mythology and science, contrary to what was being constructed within the great realm of the scientific rationality and the taxonomy of knowledges associated with it; in a similar way, *Discipline and Punish* needs to start with the torture of Damiens in order to measure the distance that the disciplines had established with regard to the very idea of the exemplar punishment, in order to privilege the notion of surveillance, of the social orthopaedic and of the achievement of productive performances.

Here, in Foucault's analyses, it is always *also* a question of working on the basis of the opposition between economies of thought. Thus, this game of oppositions is constructed starting from a historical periodization. But Foucault credits Kant himself with this method of differentiation between big epistemic 'blocs', that is analysis which sets out to measure the gaps that the historical inquiry enables us to retrace: 'It is in the reflection on today as difference in history and as motive for a particular philosophical task that the novelty of this text appears to me to lie' (Foucault, 2003: 309). What Kant finds out, Foucault suggests, is first of all the way in which the monogram of the *Aufklärung* is at the same time the philosophical care of the present and the procedure of differentiation which allows us to understand what we are on the very basis of what we are not anymore. Up to this point, everything happens as usual. However, it is not so simple.

In those same texts there is something at stake that is completely unexpected and that contradicts or troubles this procedure that we mentioned in its functioning. This factor consists precisely in a radical unhooking from the work of periodization and historicization.

2

Let's listen to Foucault himself here:

> I know that modernity is often spoken of as an epoch, or at least as a set of features characteristic of an epoch; situated on a calendar,

> it would be preceded by a more or less naive or archaic premodernity, and followed by an enigmatic and troubling 'postmodernity'. And then we find ourselves asking whether modernity constitutes the sequel to the Enlightenment and its development, or whether we are to see it as a rupture or a deviation with respect to the basic principles of the eighteenth century. Thinking back on Kant's text, I wonder whether we may not envisage modernity as an attitude rather than as a period of history. And by 'attitude,' I mean a mode of relating to contemporary reality [*actualité*]; a voluntary choice made by certain people; in the end, a way of thinking and feeling; a way, too, of acting and behaving that at one and the same time marks a relation of belonging and presents itself as a task. No doubt, a bit like what the Greeks called an ethos (Foucault, 2003: 309).

There are two points to be reformulated about this long quotation. What Foucault describes as a possible posture of research ('I know that modernity is often spoken of as an epoch, or at least as a set of features characteristic of an epoch; situated on a calendar') could be said also with reference to his own work. How did Foucaultian analysis progress if not precisely defining periodizations (epochs, ages) built on the basis of 'characteristic marks' in order to formulate their specificity? However, it seems that Foucault wants to get rid of precisely this. Here, it is no longer a question of simply limiting the work of analysis to an archaeology – the reconstruction of an isomorphism within history, namely, of a layer of past knowledges and practices: in other words, a system of thought built on a precise periodization; or to a genealogy, which, starting from the results of the archaeology, consists of an inquiry made, through differentiation, in the direction of our system of thought: an interrogation of the difference between past(s) and present. Rather, it is a question of introducing a third term: an 'attitude'.

This attitude seems to be built beyond – or, in any case, independently of – this work of periodization that until this point founded the very possibility of the Foucaultian method. It no longer appears dependent on a history, and it instead operates at another level: it involves an ethics, Foucault tells us. But this ethics is not an object of archaeological inquiry, as it might be supposed to be – the meticulous reconstruction of the partitions enabling, at some point, a certain way of thinking and practising the ethics to emerge. Instead, it comes out of any possible specific reference to this or that configuration of thought. In the other version of the reading of *What is Enlightenment?* (from the 5 January lecture), Foucault turns the same idea around:

> After all, the *Aufklärung*, both as singular event inaugurating European modernity and as a permanent process which manifests itself in the form of the history of reason, the development and establishment of forms of rationality and technology, the autonomy and authority of knowledge, all of this, this question of the *Aufklärung* – or of reason and the use of reason as a historical problem – seems to me to have run through all philosophical thought from Kant up to now (Foucault, 2010: 20).

Therefore, according to Foucault, the Kantian text invites a kind of questioning that traverses history rather than merely depending upon it. Everything happens as if it were necessary to reproduce different layers of thought and to render visible their specific characteristics – namely, to highlight the differences between different systems of past thought (archaeology); then, the basis of this work raises the problem of our own historical situation, or of our own system of representation, by stressing the difference between our own system of thought and previous ones (genealogy). All this in order to do an effort today, on the contrary, to think; henceforth, a form of philosophical interrogation that, taking the contemporary reality [*actualité*] as a material, interrogates itself less on the basis of existing difference between different pasts, or in relation to those pasts, than on the constancy of a 'permanent process', as Foucault puts it. And it is precisely here that the reading of Kant goes, at least in part, beyond its own context. Once again 'the *Aufklärung* is more than simply an episode in the history of ideas'.[1]

What is this 'exit from history' based on? This is the second point we need to examine. It seems that, first of all, it is something linked to the displacement of the process of historical differentiation that, as emphasized above, was central to the Foucaultian methodology. To reiterate, the archaeological approach reconstructed the historical consistence of an isomorphism of thought on the basis of what it differentiates itself through its emergence – in this regard let's call it the model of *The Order of Things*. Conversely, the genealogical approach consisted in extending this work of differentiation based on historical-epistemic blocs towards our present, with the precise intention of understanding the system of thought in which we are situated. More specifically, this constituted the general model of the courses given by Foucault at the Collège de France during the late 1970s: in these years, the inquiry on governmentality undertaken by Foucault is built on the upstream periodization initially announced – the Modern Age – in order to locate a caesura within it – the emergence of the arts of government,

linked by Foucault to the emergence in the sixteenth century of an anti-Machiavellian literature – and downstream, on a close questioning of the dispositives of biopolitical governmentality in its different variants of neoliberalism in the twentieth century – particularly in Germany and the US.

In the first instance, we had the differences between past(s) and past(s) and, in the second, differences between past(s) and present. History was still the tool of differentiation, that is to say, as an instrument to circumscribe objects of thought and carve up different periods. Here, on the contrary, it is the link of the 'work of the difference' – or of what I have referred to elsewhere as the work of the thought of discontinuity – to history that is transformed. The suggestion comes probably from Kant or more precisely from the way in which Foucault chooses to read Kant:

> Criticism indeed consists of analysing and reflecting upon limits. But if the Kantian question was that of knowing what limits knowledge has to renounce transgressing, it seems to me that the critical question today has to be turned back into a positive one: in what is given to us as universal necessary obligatory what place is occupied by whatever is singular contingent and the product of arbitrary constraints ? The point in brief is to transform the critique conducted in the form of necessary limitation into a practical critique that takes the form of a possible transgression (Foucault, 2003: 315).

This turning point is so important that Foucault, in the same text, comes back to it three pages later, using an almost identical formulation:

> The critical ontology of ourselves has to be considered not, certainly, as a theory, a doctrine, nor even as a permanent body of knowledge that is accumulating; it has to be conceived as an attitude, an ethos, a philosophical life in which the critique of what we are is at one and the same time the historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them [*de leur franchissement possible*] (Foucault, 2003: 319).

Drawing on Foucault's expression quoted above, the 'difference in history' (Foucault, 2003: 309) is played out between the present and what could deny it at any time, positing it outside of itself and opening it up to something other than what is already there. The difference is by now what could be imagined between a present

that we belong to and a future and that is, at least in part, ours to construct. From this point of view Kant is useful to the extent that we bend the critical approach to the historical analysis – to which *What is Enlightenment?* belongs, as well as transcendental philosophy and 'philosophical journalism'.[2] But this approach is obviously not enough. In this displacement of the question of the critique from the standpoint of the present, there remains a lack. Missing here is the idea of a difference – that is, of a possible discontinuity – existing at the core of the present.

3

The introduction of the theme of the 'possible difference' is introduced via two elements central to the Foucaultian reflection. The first is merely lexical: it consists for Foucault in detaching the theme of the present from that of contemporary reality (*actualité)*, distinguishing one from the other. This detachment between the two terms corresponds to a logic whose specificity is, here, absolutely clear. The *present* is to the contrary that which at any moment might interrupt this strange 'state of equilibrium' grounded in the emergence of a specific and historical system of thought that we could describe as the 'already there' of knowledges and practices, like an order of the discourse, of the representations and of the ways of action that are already instantiated and in which we find ourselves already situated. The present is of course all but an instantaneous moment, since it implies an average medium-term historical temporality. For instance, we could claim, leaving aside the quarrels between certain contemporary philosophers – that we are the offspring of this modernity in which the Enlightenment is situated: our present is still, at least in part, that of modernity. On the contrary contemporary reality [*actualité*] works as an instance of rupture, as a process of differentiation, as the instantiation of discontinuity within a historical layer of continuity: it is a tipping point, a rupture of the present.

Indeed, in Foucault's two readings of *What is Enlightenment?*, the hesitation between the present (that is the ongoing historical-epistemic determination) and contemporary reality (the tipping point of that determination) – or at least the movement of going back and forth between two different qualifications of our relationship to the present state of things – is evident. On the one hand there is, of course, the necessity of a 'historical ontology of ourselves' (Foucault

2010: 15); but on the other hand, there is also an 'an ontology of present reality (*ontologie de l'actualité*) [...] an ontology of ourselves' (Foucault, 2010: 21). Between the two terms, through a tension established between the two poles, Foucault is led at the same time, to construct a commentary based on the Kantian text and push beyond the reference to the *Aufklärung*. Here, I would like to consider further this twisting of Kant's term, beginning with the need to introduce the possibility of difference at the very core of our present. Moreover, the very possibility of this 'third relationship to history' is precisely predicated on this twist.

4

If on the one hand, the analysis of the present and of the way in which philosophy reached its own maturity makes of it the object of its reflection the text analysed by Foucault is still *What is Enlightenment?*, in the last pages of one of the two analysis – the Lecture of the 1983 Course at the Collège de France – it is another Kantian text that is summoned up in an unexpected way. Set within the interpretation of the 1984 text, the last pages centre on the *Conflict of Faculties*, precisely at the moment when the turn towards contemporary reality [*actualité*] is introduced – namely, as a problematization of the way in which we can or cannot instantiate a discontinuity in respect to that which we historically belong to. As Foucault stresses just before introducing this other 'use' of Kant starting from the text of 1798, 'the question will no longer be one of his adherence to a doctrine or a tradition, or of his membership of a human community in general, but a question about him being part of a present, about his membership of a particular "we" if you like, which is linked, to a greater or lesser extent, to a cultural ensemble characteristic of his contemporary reality' (Foucault, 2010: 13). Therefore, this possible turn, this questioning of the present state of things which can produce an interruption concerns not only our knowledges and our practices. It also immediately includes the question of the subject-form itself in its collective inflection ('we'), namely, also in its political dimension. Consequently the reference to the *Conflict of Faculties*, explicitly introduced by Foucault as a 'sequel of the 1784 text' (Foucault, 2010: 15), acquires its full sense: it introduces on the one hand the idea of the possibility of discontinuity, and on the other hand a political stake. This is essentially done by introducing an almost unannounced and new to Foucault's thought: the *revolution*.

Indeed, Foucault quotes Kant as follows:

> There is an extremely interesting text on this: 'no matter whether the revolution of a gifted people, which we have seen carried out in our time [Kant is therefore referring to the French Revolution; M.F.] succeeds or fails, no matter whether it piles up misery and atrocities' to the point, he says, 'that a sensible man, who could hope to see it through successfully at the second attempt, would nonetheless decide never to make the experiment at this price' (Foucault, 2010: 17–18).

And Foucault follows this up with the following comment:

> we have to consider the Revolution, which in any case always risks returning to the old ways, [...] as an event, as a sort of event whose content is unimportant, but whose existence in the past constitutes a permanent virtuality, the guarantee for future history of the non-forgetfulness' (Foucault, 2010: 19). The second dissertation of the *Conflict of Faculties* – which seeks to discuss the conflict between the faculty of philosophy and the faculty of law starting from the question as to whether there is 'a constant progress for mankind?' – is made to conform here to what Foucault is attempting to articulate. It does not matter if a revolution succeeded or not, if it is marked by mistakes and digressions, or if it comes paradoxically to stand for a restoration which erases all its traces, at least for a certain time. The revolution is not a historical fact: it is neither a date nor a set of circumstances – and even less, perhaps, does it constitute what Foucault calls a 'content'. It does not matter if in its operation the revolution is good or bad, favourable or cruel, just or unjust, successful or failed. The revolution is akin to an ever-present virtuality, a bifurcation that can be deployed at any time, enacting the permanent possibility of a discontinuity. It embodies precisely this doubling of the present and of the contemporary reality [*actualité*] that Foucault strives to to spot.

It would be very interesting to read in parallel the pages to the commentary on the *Conflicts of Faculties* with certain texts that Foucault, some years before, dedicated to the Iranian revolution – in particular 'Useless to Revolt' violent critiques which reproached Foucault for the inconsequent enthusiasm he felt in the face of the Iranian revolution (that is to say, the revolution which was rapidly becoming the dictatorship of the Imams) actually relies on the same argument of his analysis on the idea of revolution in the text on 1984, starting from Kant: the revolution is a virtuality

of difference, the opening of a bifurcation within history – namely, an act of freedom, independent of the concrete form in which] this embodies and of the effects that it can engender. (Foucault, 2000). But let's go back to Foucault's reading of Kant. Here, Foucault is finally able to conclude:

> The other present reality [*actualité*] encountered by Kant, the Revolution – the Revolution as at once an event, rupture, and upheaval in history, as failure, and almost necessary failure, but with at the same time a value, an operational value in history and the progress of the human species [...] these two questions – 'What is *Aufklärung*?' and 'What is the Revolution?' – which are the two forms in which Kant poses the question of his own present reality [...] What is the present field of our experiences? What is the present field of possible experiences? (Foucault, 2010: 20).

At the end of this 'trajectory', it is the idea of this rupture that contemporary reality [*actualité*] represents, from the very inside of present historical determinations, which leads Foucault to go back to our relationship with the *Enlightenment*, and to propose an overcoming of it, or a twist. First of all, the Kantian critique is somehow torn out of its own philosophical place. Instead of taking the shape of a necessary limitation of the understanding ('what can I know?') and by return, of the opening of the fields of the practical reason and of the aesthetic judgement, it is entirely reabsorbed and reshaped, starting with a Kantian thought of history; namely, under the twofold perspective of a diagnostic which concerns the present (philosophy at the stage of its maturity interrogates on the its own historical moment), on the one hand, and of an openness to the discontinuity of this present, on the other (the theme of the revolution). The critical challenge, conceived as a process of restriction (of possible understanding), is consequently transformed into a proposition of openness referred to by Foucault in the passage quoted above as 'the present field of possible experiences'. The revolution as a virtuality always at stake within history. This twisting, which is a philosophically powerful gesture, will provoke very quickly some harsh reactions from a more classical neokantian reading: it is undoubtedly a forcing [*forçage*] from the standpoint of Kantianism itself. Nevertheless, the virtues that Foucault attributed to the idea of 'uses' are well-known, and conversely, the intellectual sadness he felt in the face of the *diktats* of a history of philosophy conceived in terms of an absolute devotion or of an exegetic orthodoxy. 'Let's leave to their pity those who do not want the lively legacy

of Enlightenment to endure in its integrity. This pity is of course the most touching betrayal. It is not Enlightenment's left over that are to be preserved; what is being preserved is the notion of this event and its meaning'.[3] On the basis of the doubling between the historical continuity – the present – and the *evenemential* discontinuity – the 'revolution', the contemporary reality (*actualité*) – this twisting is entirely directed towards the construction of a reopening of the history ahead, on the cusp of a 'today' that opens out towards what doesn't already exist. Foucault clearly sums this up thus:

> Criticism indeed consists of analysing and reflecting upon limits. But if the Kantian question was that of knowing what limits knowledge has to renounce transgressing, it seems to me that the critical question today has to be turned back into a positive one: in what is given to us as universal necessary obligatory what place is occupied by whatever is singular contingent and the product of arbitrary constraints ? The point in brief is to transform the critique conducted in the form of necessary limitation into a practical critique that takes the form of a possible transgression (Foucault, 2003: 315).

Some sentences later Foucault provides further clarification:

> And this critique will be genealogical in the sense that it will not deduce from the form of what we are what it is impossible for us to do and to know; but it will separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think (Foucault, 2003: 315–316).

Therefore, discontinuity is produced as both rupture and as overcoming, as an interruption and as a process of constitution. It is, literally, a trial – I insist on this term because we find it again in the lectures dedicated to the Cynics. This trial is not simply a refusal of the present state of things. Moreover, it never entails an exit from history or ignores the weight of historical determinations, and it does not imply to consider us as if we were not the product of a specific history. Instead, it always presupposes a precise 'archaeological' cartography of the system of thought we belong to, in the specific historical moment which is ours and that which we call the present – the present state of the world.[4] It is also always a constitution, a production. It is this constituent dimension which represents the openness of the history to what Foucault names 'the possible crossing-over [*franchissement*]' (Foucault, 2003: 315).

5

This overcoming [*franchissement*] might lead us to conclude that a certain return is at stake, a return to themes that in the early 1960s circulated in Foucault's research, – in particular under the influence of Georges Bataille's work – we could recall here the astonishing homage, 'Preface to Transgression', published in 1963 in the Journal *Critique*, which for a while seemed crucial to the way in which Foucault was thinking the relationship to the limit (Foucault, 1977). But, in 1984 the 'possible overcoming' [*franchissement*] arises as an inverted figure of transgression: it is not given as a relation to a limit perceived as a double of the dialectics – the transgression cannot be understood other than in relation to the limit and, conversely, the limit is confirmed through its transgression. Rather, this 'possible over-crossing' [*franchissement*] represents an opening which takes the form both of a historical analysis and of an experimentation *at the edge* of this history. As Foucault clearly states, 'we have to move beyond the outside-inside alternative; we have to be at the frontiers' (Foucault, 2003: 315).

It is in this sense that this 'critical-historical attitude' (Foucault, 2003: 316), which is also always an experimental attitude, must take the form, according to Foucault, of a 'historical-practical test' (Foucault, 2003: 316). We never exit from history, but we always experiment inside it. That is, we invent from the very inside of a present state of historical determinations of an *already-there* of history. And this invention will touch on two specific domains, which are at once linked – one implicating the other and vice versa – and distinct: subjectivity, on the one hand, and life, or modes of life, on the other hand. It is precisely in these two laboratories that for Foucault, from now on, it will be necessary to work; and today it is by focusing on these two laboratories that we can try to carry on his work.

Notes

1. My translation. This passage is from the French original version of *The Government of Self and Others* (lecture of 5 January 1983) but it has not been translated in the English version.
2. See 'Pour une morale de l'inconfort' (Foucault, 2001). The reference to Kant opens a text on the book of Jean Daniel, *L'Ere des ruptures* (Grasset, 1979) and Foucault immediately comments on: 'Who are we today? [...] But I think that this question is finally the work of the journalist' (2001: 783).
3. This passage, included in the original French text, *Le Gouvernement de soi et des autres*, is not included in the English translation.

4. And Foucault clarifies: 'archaeological – and not transcendental – in the sense that it will not seek to identify the universal structures of all knowledge [connaissance] or of all possible moral action, but will seek to treat the instances of discourse that articulate what we think, say, and do as so many historical events' (Foucault, 2003: 315). Therefore, the Kantian project is plunged into history and the work of critique becomes that of historicization – before opening the perspective and the discontinuity as interruption *and* constitution.

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2

What Is Capitalist Power? Reflections on 'Truth and Juridical Forms'

Alberto Toscano

Pinning down Foucault's relationship to Marx and Marxism is a manifestly maddening enterprise. The French philosopher's vaunted hostility to all forms of 'affiliation' (Foucault, 2012: 101) was particularly intense when it came to what Sartre – an early philosophical nemesis and later ally in activism – deemed the untranscendable horizon of our times. The many interviews where Foucault was coaxed into confronting this matter head-on are replete with feints, ironies and provocations, suffused with a profound hostility towards the demand that he position himself, practically and theoretically, vis-à-vis the long-dominant form of oppositional social thought (Foucault, 1991a, 1996, 2000a, 2000b, 2012a). As with postwar intellectuals in general, but perhaps even more intensely, this relationship was nothing if not over-determined: by the overbearing presence of the French Communist Party (of which Foucault had been a member between 1950 and 1953); by Foucault's judgments about Eastern Bloc policies; by intellectual rivalries and alliances (with Althusser, Sartre and Deleuze, the *nouveaux philosophes*); and by the shifting articulations between philosophy and political intervention, with Foucault, for instance, pushing to radicalize Maoist conceptions of popular justice in the early '70s (Foucault, 1980), while resonating with the growing anti-communist consensus in the second half of the decade (Christofferson, 2004; Dews, 1979).

The picture becomes even more complex if we factor in not just the temporal determinants of conjuncture but the spatial ones of address: 'Marxism' signified markedly different things to Foucault whether talking to his Trotskyist Tunisian students (Chitty, 2012) or reporting on the Iranian revolution, lending solidarity to Warsaw Pact dissidents or responding to the Black Panthers' struggles against the carceral order of US racial imperialism (Toscano, 2013). And the reception of Foucault

was also profoundly inflected by the mutable meanings of 'Marxism' in different situations: contrast, for example, the way in which his 'microphysics of power' was feted by partisans of *autonomia* in Italy and roundly attacked by theorists close to the Italian Communist Party (Rella, 1977), with the curious way in which his concepts came to relay those of a *sui generis* British Althusserianism in the 1980s and 1990s. Reflecting on Foucault's legacy – to employ a very un-Foucaultian term – in order to fashion a critical history of our present would also require a reckoning with what it means to now revisit this elusive relation (one that often appears as a *non*-relation).

Limiting ourselves to the life of the mind alone, ours is a predicament in which the political question of Marxism is arguably under- rather than over-determined; today, fruitful as their historical reconstruction may be, Foucault's sallies and evasions are of less moment. A superficial, or indeed quantitative, survey of writing in the humanities and social sciences would suggest that Foucault has 'won'. Or rather, a kind of ambient Foucaultianism seems to have become the untranscendable horizon of our own academic present – witness the inflated fortunes of 'biopolitics'; the rise of governmentality to the status of a paradigm in those (post-)colonial contexts Foucault largely ignored; the preference for resistance over revolution; the 'historical nominalism' which baulks at any thinking of totality and trades in discontinuity, archives and events.

Now, it seems evident that, barring very select exceptions, the 'application' of Foucault, or even worse the 'affiliation' to Foucault, has produced very few works or research programs that can genuinely claim to have creatively 'repeated' the achievements of his masterworks. Now that so many of Foucault's concepts have become the *lingua franca* of so many university programs, it is perhaps time to consider how he, too, to paraphrase Adorno, should be defended against his disciples; how his precariously forged (and often happily abandoned) intellectual tools should not be allowed to congeal into a stultifying *doxa*, through a process of 'ideologisation' that – not so incidentally – often relies on a removal of any Marxian trace from his work (Legrand, 2004: 28).

Inasmuch as contemporary critical Marxist theory has shed much of the political halo that elicited Foucault's hostility and the theoretical anti-Marxism of the 1980s and 1990s – much of which drew a peculiar authority from Foucault – continues to lose its sheen, while the persistence of capitalism defies its nominalist disavowal, a renewed encounter between Foucault and Marx(ism) has much to recommend it. And indeed, some of the more interesting uptakes of Foucault's work, especially as

concerns biopolitics, have rightly abandoned the dismissals of a theory of capital stemming from a superficial Foucaultianism (Thacker, 2005; Rajan, 2006).

In this chapter, I wish neither to trace the fraught place of Marx and Marxism in Foucault's intellectual trajectory nor to engage in a no doubt forced, meta-theoretical marriage between Marxism and Foucaultianism as frozen research programs. Rather, I want to turn to the moment in which Foucault appears 'closest' to Marx – the period of *Discipline and Punish*'s intellectual gestation – to tease out how his reflections on the relationship between power and capitalism may speak to our own present. This is a present understood as one in which the political problem of 'superfluous populations' (or more starkly 'surplus humanity') – arguably the point of contact and friction between Marx and Foucault – is at the centre of any oppositional agenda. Speaking to leftist Brazilian students in 1973 – no doubt the audience and the moment were determinant then, too – Foucault proposed a kind of complementarity between his analytics of power/knowledge and a Marxian theory of capitalism. I want to dwell on the fecundity of Foucault's formulation in these lectures – later published as 'Truth and Juridical Forms' – but also to reflect on Foucault's curious omission of Marx's own contribution to thinking that crucial biopolitical category, population.

It should be noted that had Foucault tackled Marx's account of 'superfluous populations' in the first volume of *Capital*, he might have found himself forced to qualify the sweeping claim in *The Order of Things*, according to which Marx's critique of political economy was circumscribed – along with its object and rival – to a nineteenth-century *episteme*, their controversies amounting to nothing more than 'storms in a children's paddling pool' (2002b: 285). The thesis that populations were not a naturalizable, external variable or limit in the accumulation of capital but an immanent one – critical to capital's contradictory dynamic but also to its perennial demand for political interventions – was not in paradigmatic continuity with either Malthus or Ricardo, and indeed, it opened up radically different vistas on the relation between life, labour and history. Now, Foucault, who had already stressed that in the domain of politics Marx *did* embody a rupture (1996: 21), had seemingly left behind such claims about the 'closure' of Marxism by the time he came to explore the emergence of punitive society. If anything, his account there – perhaps due to pedagogical shorthand – becomes almost *vulgarly* historical-materialist in delineating the function of power over bodies for capitalism

(and capitalists). In what follows, I want to consider how positing the centrality of the capitalist mode of production to the strategies and devices of power allows us to reframe Foucault's contribution and to reflect on its relevance to our moment.

The declarations in *Discipline and Punish* about the interrelation between the accumulation of men and the accumulation of capital are well known (1991b: 221). So is Foucault's distinction, within the domain of biopower, between a biopolitics of populations and an anatomo-politics of bodies (Foucault, 1978: 139–41). The latter, approached from the vantage of the shaping and binding of the worker's body to the productive apparatus, is evidently the most potent contribution of *Discipline and Punish* to the ongoing attempt to think of the different ways in which capital, regardless of how much it 'really subsumes' labour, does not have living labour-power in corporeal form ready-made, but it demands labour's social and political production – often by political agencies which capture and internalize this indispensable 'externality', this life which is not always already labouring for capital (Kawashima, 2009). But, as Stéphane Legrand has compellingly argued, in *Discipline and Punish* Foucault's 'method of abstraction' – compounded perhaps by an allergy to Marxian 'affiliations' – seemed to leave undetermined the articulation and compatibility between the economic and the disciplinary and seemed not to present a synthesis of the rationalities of different forms of power. From this method stems a number of problems, among them the tendency to give general significance to forms of power intelligible only within particular economic conjunctures, but also, and perhaps more problematically, the problem of treating the relationship between the practices and rationalities of carceral, educational and industrial forms of discipline in the registers of isomorphy or analogy.

In *Discipline and Punish*, Foucault writes of surveillance that it is a 'decisive economic operator' (1991b: 175) *internal* to the apparatus of production *and* part of disciplinary power – this is after all the lesson of the chapters on the factory and the working day in the first volume of *Capital*. But, for Legrand, this lesson stops short of positing a determination-in-the-last-instance within an over-determined situation. The problem arises again in terms of the 'utility' of discipline, which differs radically between different institutions (the 'uses' of a docile body in a school and a factory are *not* the same) and their respective rationalities, meaning that in order for these to gel an overarching utility is called upon – which is, surreptitiously, the utility *for capital*. Otherwise 'discipline' runs the risk of offering a fictional synthesis, a generality

(like 'population' in Marx's 1857 introduction to the *Grundrisse*) without explanatory purchase.

It should be noted that these critiques of the 'amphibology' in *Discipline and Punish* are far less germane to 'Truth and Juridical Forms', which puts the question of capitalism front and centre. For Legrand, a proper estimation of Foucault's 'forgotten' Marxism would require stepping back to the Collège de France course on *La Société Punitive* (1972–3). For Legrand, instead of the 'false synthesis' of discipline, Foucault's course provides an account of the *genetic* link between the prison form and the wage form, in which the shaping of the body and the capture of labour-*time* are crucial. The research program that Foucault sketches and largely abandons in this course concerns the physical, material and political conditions for the existence of abstract time. A function of carceral discipline is the 'introduction of time into the system of capitalist power and the system of penality' (Foucault, in Legrand 2004: 34) – a theme that brings Foucault into contact with the seminal work of E. P. Thompson (Thompson, 1991). What is at stake is 'the relation of the time of life to political power' (Foucault, in Legrand 2004: 35) – a power over and by time (which we could also link to the centrality of controlling capitalist circulation to the emergence of these disciplinary practices, on which more in a moment). The objective is 'to subject [*assujetir*] the time of human existence to the temporal system of the production of the capital' (Foucault, in Legrand 2004: 40).

In 'Truth and Juridical Forms', whose fourth and fifth lectures (my concern here) overlap with the concurrent course, *The Punitive Society* (Elden, 2013; Rodrigues, 2011), what is perhaps most evident is the centrality of politics, broadly construed, to the reproduction of capital. Foucault's formulations here are dense and suggestive, and they move beyond the reciprocal implication of the economic-capitalistic and the disciplinary-political articulated later in *Discipline and Punish*, where we read: 'it would not have been possible to solve the problem of the accumulation of men without the growth of an apparatus of production capable of both sustaining them and using them; conversely, the techniques that made the cumulative multiplicity of men useful accelerated the accumulation of capital' (1991b: 221). In the Brazil lectures, Foucault does not rest content with the potentially misleading homonymy of 'accumulation' (a moment's reflection will suggest that capital and 'men' are not accumulated in analogous ways), but he writes of the imbrication between the microphysics of power and the extraction of surplus-value:

> I don't think we can simply accept the traditional Marxist analysis, which assumes that, labor being man's concrete essence, the capitalist system is what transforms that labor into profit, into hyperprofit [*sur-profit*] or surplus value. The fact is, capitalism penetrates much more deeply into our existence. That system, as it was established in the nineteenth century, was obliged to elaborate a set of political techniques, techniques of power, by which man was tied to something like labor – a set of techniques by which people's bodies and their time would become labor power and labor time so as to be effectively used and thereby transformed into hyperprofit. But in order for there to be hyperprofit, there had to be an infrapower [*sous-pouvoir*] (2002a: 86).

This is a remarkable passage for several reasons. It challenges a humanist-Marxist anthropology of labour, not on speculative or epistemic grounds but through an immanent Marxian critique. The wrenching of bodies and populations from subsistence and custom – a theme, that of so-called primitive accumulation, which could be further explored via *The History of Madness* – and their binding to the productive apparatus represents a profoundly violent and novel phenomenon, whose gravity is elided by projecting the productive body back into the body-in-general and the proletarian back into human nature.

Foucault's challenge to his Marxist contemporaries here is far more serious and lasting than political polemic: they do not take capitalism seriously enough, nor do they read Marx carefully enough. Yet against a genealogy of purely political contingency in an irreparably multiple social field, what we have here are the internal requirements of capitalism as a system – or even a totality. Such a totality can come together only through a myriad of molecular operations and through the internalization of powers and strategies produced elsewhere (for instance, among self-governing religious groups). These practices cannot be simply hived off into a tidy sphere of state or political, as opposed to economic, power. But, and this is especially crucial for today's theoretical reflection, capitalism is not here a mere name, bundling together heterogeneous practices. It is a historically determinate system, with a logic, imperatives and contradictions (or, in a more Foucaultian lexicon, problems).

As we observe the politics internal to the functioning of factory, to the shaping of the labouring bodies themselves and to the penetration of capitalist imperatives throughout multifarious institutions,

familiar distinctions between politics and economy, including ones pedantically observed by some Marxists, are redrawn. Foucault further explains:

> A web of microscopic, capillary political power had to be established at the level of man's very existence, attaching men to the production apparatus, while making them into agents of production, into workers. This binding of man to labor was synthetic, political; it was a linkage brought about by power. There is no hyperprofit without an infrapower. I speak of 'infra-power', for what's involved is the power I described earlier, and not the one traditionally called 'political power'. I'm referring not to a state apparatus, or to the class in power, but to the whole set of little powers, of little institutions situated at the lowest level. What I meant to do was analyze this infrapower as a condition of possibility of hyperprofit (2002a: 86–7).

It is thus clear that in 'Truth and Juridical Forms', like in *La Société Punitive* lectures, the binding of the body to machines and capital – the *political synthesis of living labour-power* – is not just a general form common to different institutions; as Legrand notes, it is anchored to the requirements of the capitalist mode of production (2004). It is perhaps inevitable that when turning to the production and reproduction of labouring bodies and populations, Foucault, while rightly stressing the 'unnatural' and historically unprecedented character of industrial capitalism's emergence, is also obliged to adopt a systemic, even functionalist view, in which what determines the persistence of particular techniques and modalities of knowledge is their utility for capital or indeed for capitalists. As late as 1978, in an interview with a Japanese Marxist, Foucault made the following statement, which nicely captures the tenor of 'Truth and Juridical Forms': 'reconfirming the functional unity of the forms of appearance of power, which are connected to Marx's own statements [*la parole de Marx lui-même*], strikes me as a worthy endeavor' (quoted in Chitty, 2012). Contrary to the 'historical nominalism' that so suffuses much of Foucault's oeuvre (Balibar, 1992; Flynn, 2005), capitalism is here an indisputable presence. If Foucault questions its character as the social totality he does so only to argue that it goes even deeper, through the hooks and tendrils of discipline, than a dogmatic historical materialist could ever suspect.

It is not the ubiquity of capital or its determining role in shaping social power that Foucault here disputes; rather it is a presupposition common to many Marxists that the mechanisms whereby this power

is exerted are secondary – matters of ideological legitimation or blunt physical force which can be 'read off' the requirements of accumulation and not indispensable and constitutive dimensions of what capitalism *is*. This concern is coded here in terms of an emphasis on the indispensability of *politics*. We do not just have a 'social synthesis' (Sohn-Rethel, 1978), as embodied in the form of commodity exchange and its dependence on the extraction of surplus-value from abstract labour; we have a *political* synthesis, a *binding* of bodies to machines, without which the capital-labour relation is an empty schema. In other words, as scholars focusing on the violence of continued so-called primitive accumulation have stressed, capital is not its own condition; it is not the subject of some kind of automatic autopoiesis. Correlatively, inasmuch as the 'synthesizing' of living labour-power requires particular configurations of power/knowledge, these are not merely supplementary of capitalist relations of production; they are constitutive of them – accordingly requiring a revision in the very notion of 'ideology'. It is in this sense that Foucault sees the juridical form of the 'examination', which follows the feudal 'inquiry' as a form of power/knowledge which functions 'at the level of capitalist production and hyper-profit' (2002a: 87).

But can the tale of the political synthesis of capitalism stop here, at the rightly feted inquiry into the destructive creation of the labouring body? There are at least two other dimensions of Foucault's inquiry which directly touch on Marxian problematics and must be considered in order for this synthesis truly to be multi-dimensional: circulation and populations.

In 'Truth and Juridical Forms' the binding of the working body to the machine – the primary capitalist function of disciplinary power – is accompanied by a different problem, to which the excess of penal power over juridical reason also responds: the need to secure stocks and capital goods in an economy in which the circulation of material forms of capital takes on increasing weight. Incidentally, we can note here that the error ascribingto Foucault an interest in *Volume* 2 of *Capital*, on the basis of comments in 'The Mesh of Power', where he is in fact referring to the second *book* in the French edition of volume 1 (Foucault, 2012b; Chitty, 2012; Read, 2012), could be creatively rectified: it is in fact in *Capital, Volume 2*'s insistence on the significance of circulation that perhaps unexpected links could be made to a political economy of security sketched by Foucault in his Collège de France lectures of the late 1970s, as well as in the earlier inquiries into the punitive society, where the *police* is seen to emerge precisely to respond to the problem of capital stocks and proletarian illegality – exemplarily so in Patrick

Colquhoun's seminal 1795 text on policing in London: *Treatise on the Police of the Metropolis*.

When, in 'Truth and Juridical Forms', Foucault reflects on the reason for the emergence of voluntary societies preoccupied with moral regulation (from the Society for the Reform of Manners to the Society for the Suppression of Vice), as well as self-defence militias and private police forces, he perceives them, in part, as a response to an economic transformation that foregrounded the accumulation of stocks, especially at ports and warehouses, and the build-up in fixed capital (machines). With the emergence of a 'new mode of material investment of wealth' in which 'capital was no longer monetary', the great problem, for state and capitalists alike, is how 'to set up control mechanisms that would make it possible to protect this new material form of wealth' (Foucault 2002a: 68–9). This is the moment of the emergence of capitalist power over a 'field of circulation', which means 'not only [the] material network that allows the circulation of goods and possibly of men, but also the circulation itself, that is to say, the set of regulations, constraints, and limits, or the facilities and encouragements that will allow the circulation of men and things in the kingdom and possibly beyond its borders' (Foucault, 2009: 325–6).

That Foucault also signals the significance of surging urban and proletarian resistance, as well as of individuals' dangerous 'potentialities' in eliciting these agencies of moral power and knowledge, together with their eventual integration within the penal apparatus, suggests we should qualify the criticism of *Discipline and Punish* which faults it for accepting 'the apparent separation between increased wealth attendant upon greater capital investment and the armed attack upon the illegalities of the lower strata of society' (Linebaugh, 2006: 417). What's more, in 'Truth and Juridical Forms' the class coordinates are much starker: the shift in the later eighteenth-century from diffuse (voluntary) to concentrated, (state or state-like) disciplinary and control mechanisms is also understood as a moment in which 'moral control was exerted by the upper classes, the holders of power, over the lower, poorer strata, the popular strata. It thus became an instrument of power for the wealthy over the poor, for the exploiting over the exploited, which conferred a new political and social polarity on these agencies of control' (2002a: 63). Coercive power is in many respects concentrated and centralized into the state, from its more diffuse origins. The coercive system is the 'political instrument of the control and continuation of relations of production' (Foucault

in Legrand 2004: 37), and it is innervated by an obsession with the illegality of the dissipation of living labour-power.

Here, 'Truth and Juridical Forms' resonates with the strong affirmation of class struggle as critical to politics from one of Foucault's interviews, so dissonant with the now customary view whereby his thinking of power provincialized class struggle and volatilized capitalism: 'I label political everything that has to do with class struggle, and social everything that derives from and is a consequence of the class struggle expressed in human relationships and institutions. [...] I also want to give politics the meaning of a struggle for power; but it's not power understood only as government or state, but economic power as well' (1996: 104). Although *Discipline and Punish* arguably does not provide an adequate synthesis of how diverse strategies and devices of control are composed into an emergent form of capitalist power – combining the binding of bodies, the securing of stocks and the managing of populations, in this horizon of class struggle – I think it is possible to reconstruct this problematization of capitalist power in Foucault's writings, lectures and interviews of the 1970s.

Critical to such a reconstruction of the emergence and crystallization of capitalist power is an investigation of Foucault's biopolitical blind spot, namely, his scanting of the Marxian conceptualization of superfluous populations – a fulcrum of debate among social thinkers trying to think through the manner in which the history of our present is deeply bound to the disciplining, control and exclusion of a classed, racialized and gendered surplus, to the managing of 'wageless life' (Denning, 2010; Endnotes and Benanav, 2010; Gilmore, 2006; Toscano, 2014). Such work has been put on a very promising track by Guillaume Sibertin-Blanc (2010 and 2009), who has compellingly argued that biopolitical rationality is *under condition* – in the sense that its periodization and modalities cannot be explained internally; they require that biopolitics be thought in terms of Marx's tendential law of relative surplus population, as formulated in *Capital, Volume 1*:

> The same causes which develop the expansive power of capital, also develop the labour-power at its disposal. The relative mass of the industrial reserve army thus increases with the potential energy of wealth. But the greater is the mass of a consolidated surplus population, whose misery is in inverse ratio to the amount of torture it has to undergo in the form of labour. The more extensive, finally, the Lazarus-layers of the working class, and the industrial reserve army,

> the greater is official pauperism. *This is the absolute general law of capitalist accumulation* (Marx, 2011: 707).

The problems of binding body to machine, of securing stocks against theft, of dampening down the menace of insurrection and of fostering the circulation and accumulation (but also the devaluation) of humans and things – none of these are thinkable without the profoundly contradictory engine of social change which Marx encapsulates in this law, a law that requires both the absolute increase in the labouring population and the augmenting of its surplus portion, itself 'inclusively excluded' in different modalities and at different speeds.

By contrast with the conciliatory, 'progressive' image of the dialectic that Foucault insistently repudiated, this conception of surplus populations is intrinsically contradictory and refractory to closure – the kind of contradiction which recurrently demands the aforementioned political syntheses, which provide a fractious mobile ground for the mutable and ever-incomplete strategies of capitalist power. The dependency of capital on a living labour-power already involves two crucial contradictions (Sibertin-Blanc, 2010: 2–3) that make intelligible many of the 'solutions' of disciplinary and later control societies. First, the contradiction between mobility (of stocks, money-flows and living labour) and fixity (of workers and fixed capital), which defines so much of the spatial dynamic of capital. From the factory to the docks, it is in light of this contradiction that the mutations of 'the police' can be tracked and understood. We could go even further and see in this contradiction a neglected rationale for the partition of biopower into a biopolitics of populations (preoccupied with securing movement and flows) and an anatomo-politics of bodies (driven by the need to attach the worker to the productive apparatus). The second contradiction, repeatedly indicated by Foucault, involves the strategic imperative of capitalist power: to maximize the forces of the body in their economic utility and to minimize their capacity for possible resistance, be it individual or collective. We can infer from here a deeper contradiction or rather antagonism: the insurgencies, acts of sabotage, resistances and class struggles that shadow and elicit the responses of capitalist power.

But we can also move from here to the contradictions *internal* to a divided proletariat. The emphasis on the political synthesis required for the binding of bodies to capital also suggests that Foucault can be employed, alongside Marx's theorization of populations, to offset an idea of the proletariat as a kind of homogeneously voided subject. The oppressive layering of the superfluous populations, the negative horizon

of an absolute surplus population and the painstaking, legal and physical work of separating proletarians from one another (only to bind them in assemblages of productive impotence) all speak against a presupposition of univocal proletarian subjectivity. One of the dimensions of this dis-homogeneity is underscored by Sibertin-Blanc and involves the interiorization of state power by the working class, as it perceives and reproduces its own difference from its accursed share: the superfluous, the lumpen (Sibertin-Blanc, 2009: 94–100; Kawashima, 2009). Structural antagonisms can thus be 'incorporated outside' the direct capital-labour relation; this is not a secondary feature of the relationship between capitalist and proletarians but a constitutive condition. As Foucault remarked in a 1972 roundtable, 'the divide is continuously reproduced and refashioned between the working class and the nonworking world, since it was thought that their contact could potentially be the catalyst of riots' (Foucault, 1999: 95). There is an *internal heteronomy* in the class struggle, an internal border of the working class, which we can see at work in writing that takes the question of surplus populations as central to the mediations of 'race', gender and class (Toscano, 2014).

The population of what Marx called virtual paupers is both an economic and a political (which is also to say a legal and punitive) problem, one that largely conditions the development of the complex, and in some respects contradictory, apparatus of biopower. Accordingly, if we take the production and reproduction of the disposition to produce as crucial to the emergence of an intrinsically capitalist punitive society, then we must also link this emergence to the question of superfluous or surplus populations as the macro-problem of an emergent capitalism. The reproduction of the capital-labour relations both presupposes and repeats the forcible *separation* of people from means of subsistence (a primitive accumulation of labouring bodies whose wandering and flight must be curtailed and channelled into the factory or into the appropriate institutions of non-work). The accumulation of men of which Foucault wrote in *Discipline and Punish* should thus be linked to the 'primitive accumulation of superfluous populations' (Sibertin-Blanc, 2009: 87).

This goes some way to explaining why, according to Sibertin-Blanc, the development of the capital-relation has a strong *counter-biopolitical* dynamic (2010: 4), constantly shadowed by difficulties in reproduction. These difficulties are both immanent to the logic of capital – as evidenced by the 'general law of capital accumulation' – and unpredictably conjuncturaland subjective – as in workers' revolt and resistance. But the point stands: without thinking through the Marxian question of superfluous populations, the crystallization of biopower in the

nineteenth century remains a historical mystery or an effect of political voluntarism: 'biopolitical rationality was only able to condition, as Foucault explains, the development of capitalism, under the constraint of the law of relative over-population, or under its condition' (2010: 7). Biopolitics, as Sibertin-Blanc concludes, is *under condition* of capital. It is only through this lens, which goes beyond archivally mappable arrangements of power and knowledge, that we can include within a discussion of biopolitics the 'negative planning' of famines and other artificial, populational catastrophes within capitalist (and non-capitalist) contexts (2010: 8). Biopolitical rationality cannot be hived off from the contradictory dynamics of capital, as encapsulated in Marx's 'law' of populations; nor, for the same reason, can it be tidily framed by a periodizing perspective, in which one could speak of an age of biopolitics or of the epochal passage from sovereignty to biopower or from discipline to control. Thisis not to say that we cannot map tendencies, as Sibertin-Blanc does in thinking together Marx's account of superfluous populations and Foucaultian biopolitics, discerning a secular mutation in the economy of class violence, with the transformation by *incorporation* and *displacement* of direct political violence into law and social relations of production (2009: 93).

The fact that a theory of capital is indispensable to a cartography of capitalist power is explicit in Foucault's avowal that the relations of force explored in *History of Madness* and *Discipline and Punish* alike take their cue from 'those economic and demographic processes which appear clearly at the end of the 16th century, when the problem of the poor, of the homeless, of fluctuating populations, is posed as an economic and political problem; and an attempt is made to resolve it with an entire arsenal of implements and arms' (Foucault, 1996: 259). But it is even more evident perhaps in 'Truth and Juridical Forms' when, after wryly noting that the panopticon embodies a capitalist utopia of the kind which differs from socialist ones in having 'the unfortunate tendency to be realized' (2002a: 75), Foucault also specifies that its realization is not so much a matter of implementing the model as a matter of its diffusion, in often imperceptible and molecular forms. The catalyst for this implosion and pollination or fractalization (De Angelis, 2006) of the panoptical utopia is *crisis*. Foucault speaks of the realized utopian spaces of Benthamite capitalism:

> The economic cost of these institutions immediately proved too heavy, and the rigid structure of these prison factories soon caused many of them to collapse. Ultimately, they all disappeared. Indeed, as

> soon as there was a production crisis and it was necessary to discharge a certain number of workers, to readjust production, as soon as the rhythm of production accelerated, those enormous firms, with a fixed number of workers and equipment set up on a permanent basis, revealed themselves to be utterly un-serviceable (2002a: 76).

The above is more proof, if proof were needed, of Sibertin-Blanc's thesis, according to which biopolitics is under condition of capital.

Building on the arguments advanced by Legrand and Sibertin-Blanc, I have been arguing that it is possible to move beyond a stale contest between Foucault and Marxism to a reconstruction of a theory of capitalist power – of the shifting articulation of sub-power and surplus-value – that would put the political production and reproduction of living labour-power (of bodies and populations) at its centre. The 'controlled insertion of bodies into the machinery of production and the adjustment of phenomena of population to economic processes' (Foucault, 1978: 141), or biopower for short, was certainly indispensable to the full emergence and reproduction of capitalism. But, as Foucault suggested in 'Truth and Juridical Forms', it was the imperatives of accumulation and the problems of capitalist control that called forth the strategies and techniques covered by biopower. While Foucault's attention to the 'political synthesis' of labouring proletarian bodies is crucial, we must also remember the kind of macro, tendential processes that Marx himself captured under the 'general law of capital accumulation'. These did and continue to provide the *conditions* for particular strategies and tactics of capitalist power.

Capitalism involves the orthopraxy, the *dressage*, of proletarian bodies. But it also bodies forth the systematic and largely impersonal production of surplus populations. Attention to the latter also allows us to confront the discrepancy between the labour-time of (ideally) docile bodies and a temporality of crisis that is often violently *indifferent* to the time(s) of the body or of social reproduction. Foucault's attention to the reproduction of productive bodies should thus be accompanied by an attention to what we could call the alien physiology of capital – in other words, to linking Foucault's suggestive explorations into the genesis and reproduction of *capitalism* in its heartlands, with an attention to the logic of *capital*. Ironically, it is at this higher level of abstraction that – as recent efforts to link the social form of value to the problem of 'surplus humanity' detail (Endnotes and Benanav, 2010) – a more concrete intervention into the history and ontology of our present can take root. In the end, beyond Foucault's (anti-Marxist) polemics, we should attend

to Foucault's (Marxian) problematizations, especially as they point to critical conceptual and practical problems, ones that make plain the intractably contradictory character of the bourgeois mode of production: What is the role of politics in economic coercion? How do we link the history and genealogy of capitalism to the logic of capital? What is the relationship between proletarian subjectivity and the stratification of working classes? What patterns and causalities can be discerned in the making and unmaking of working bodies and populations? How can bodies be bound, circulation be secured and populations be controlled? Or: What is capitalist power?

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3
Foucault in India

Sanjay Seth

In his later published works and lectures at the Collège de France, Michel Foucault traced a shift from a power coded in the form of sovereignty, operating through juridical means and having as its ultimate exercise the taking of life, with a new power that 'gave itself the function of administering life', 'a power whose highest function was perhaps no longer to kill, but to invest life through and through' (Foucault, 1984: 138–9). The 'transition which takes place in the eighteenth century [...] from a regime dominated by structures of sovereignty to one ruled by techniques of government', wrote Foucault, 'turns on the theme of population' (1991: 101). This new power was one that sought to safeguard and promote the health, productivity and the happiness of the population, as a way of maximizing the wealth and power of the state. Foucault named this new form of power 'governmentality', a neologism suggesting a particular rationality which came to underpin the exercise of government. However, this new rationality of government was distinguished from sovereignty not only by the fact that it was solicitous of the health and productivity, and even happiness of those it governed (and hence the importance of statistics, to produce knowledge of the population – their numbers, longevity, health and ill health, rates of mortality, and so on), but also in that this new rationality came to recognize that it was impossible for the state to completely regulate them. If the health of the state depended upon the well-being of its population, then this was best secured by governmental regulation *and* by paying scrupulous attention to the development of individual capacities for *self*-regulation. This new power worked upon people as aggregates, as 'population', but also as individuals – through the regulation of populations, but also through freedom.

There are parallels between the processes described by Foucault and developments in the colonial world, where new regimes of power-knowledge were used to rule conquered peoples and to map and sometimes remake the social field. In India, from about the latter third of the nineteenth century, the censuses were begun, the law codified, the bureaucracy reorganized and rationalized and 'a whole apparatus of specialized technical services was instituted in order to scientifically survey, classify, and enumerate the geographical, geological, botanical, zoological, and meteorological properties of the natural environment and the archaeological, historical, anthropological, linguistic, economic, demographic and epidemiological characteristics of the people' (Chatterjee, 1995: 19–20). However those who have noted and drawn attention to these parallels have also insisted that there are important differences between governmentality in the metropolis and its operations in the colonies. The 'colonial' in 'colonial governmentality' needs to be understood as an adjective designating the ways in which colonial rule qualified the functioning and character of governmentality, in at least two important ways.

First, while it is premised upon a technology which seeks to govern through freedom, governmentality, as Barry Hindess reminds us, has always also included large numbers of people who were subject to authoritarian rule, including 'the subject peoples of Western imperial rule and, throughout the nineteenth and early twentieth centuries, substantial groups in Western societies themselves' (2001: 101). The presumption underlying and legitimating this was 'that the capacities required for autonomous conduct and the social conditions that foster and sustain them can be developed in a population only through compulsion, through the imposition of more or less extended periods of discipline' (Hindess, 2001: 101). This compulsion was, of course, the prime justification for colonialism in its heyday – the idea that colonial rule was necessary to foster 'moral and material improvement' and the idea that an extended period of tutelage was necessary in order that one (distant) day natives may be capable of autonomous conduct and self-rule.

Second, while conceiving of the governed as a 'population' never entailed presuming that they were homogenous (on the contrary, the census was needed precisely in order to cognize difference – those of working age and not, different occupations and incomes, and so on – in part in order that state action could be formulated taking differences into account), it did assume some level of horizontal fraternity, inasmuch as the population was in some sense also a people. But as John Comaroff notes, 'Unlike the European polities with which Foucault

himself was concerned, colonies were never places of even tenuously imagined homogeneity [...] despite its rhetoric of universalizing modernity, [imperial rule] was concerned with the practical management, often the production, of difference [...] by naturalizing ethnic difference and racial inequality' (Comaroff, 2002: 114). 'In South Africa', he concludes, 'the state spoke, in a promissory voice, of making modern, right-bearing citizens out of "natives" whom it persisted, at the same time, in treating as ethnic subjects' (119).

In this essay I will seek to deploy Foucauldian concepts of governmentality, self-regulation/freedom and population, with reference to colonial India. Foucauldian analyses and concepts arose out of a study of European thought and history, and Foucault was scrupulously careful to limit his claims to Europe. If there is warrant for using Foucauldian concepts and categories beyond Europe, it lies in the fact that under colonial rule, discourses and practices originating in the West 'travelled' to non-Western places. Here, I seek to enquire into whether Foucauldian concepts can also travel, or be made to do so, once necessary adjustments and emendations, such as the two briefly noted above, have been made. My study concentrates on the effects of the new, modern and Western, education system the British introduced into India.

* * *

Education was an important element in the new mode of power Foucault wrote about because it was a site where administering the population could be combined with inculcating the habits and techniques of freedom and self-regulation by which individual members of the population would administer themselves. In nineteenth-century England, as Ian Hunter has shown, educational reformers such as David Stow and Kay-Shuttleworth explicitly proposed a model of popular education in which 'moral norms would be realised *through* self-expressive techniques [...] [and in which] forms of self-discovery organised around the individual would *permit* the realisation of new social norms at the level of population' (1988: 39). The educational system that emerged in England was a

> distinctive governmental apparatus formed [...] in an unprecedented investigative and administrative network which made the 'moral and physical' condition of the population into an object of government. It was in this network that the old techniques of pastoral surveillance aimed at the individual soul, and new forms of social discipline

> aimed at whole populations, could combine to form the technology of moral training (Hunter, 1988: 266).

Following a bitter debate within colonial officialdom, in 1835 the British-Indian government decided that the (minuscule) amounts of money that it provided for the education of its Indian subjects would henceforth be used for only the dissemination of modern knowledge of the Western sort and not 'Oriental' knowledges. The new knowledge was accompanied by new methods for its dissemination; government-funded or party-funded schools (and later universities) were established, which were to be very different from their indigenous counterparts. The latter were condemned for being simultaneously autocratic and highly disorderly. Lt T. B. Jervis of the Statistical Survey complained that at indigenous schools he had observed in the Bombay Presidency pupils 'sit without order, or distinction into classes and leave their work when called for to assist their young companions, thereby occasioning much confusion and hindrance to others.'[1] The secretary to the Bengal Council of Education described his visit to an indigenous school, where the students 'were squatting upon the clay floor, without order or regularity', and the secretary contrasted it to a government-established vernacular school across the way, which held its classes 'in a neat, open, small puckah building', and where the activities of the students displayed 'order, regularity and earnestness'.[2] In the modern, government-funded or inspected schools, discipline and order were to go hand in hand with self-regulation, for the discipline in question was self-discipline; in indigenous schools harsh authoritarianism and disorder were thought to go hand in hand, for an external and coercively imposed authority could operate only intermittently and harshly and therefore ineffectively.

I have argued elsewhere that Western education did not, in fact, succeed in producing the sort of self-regulating individual subjects posited by the new Western education (Seth, 2007). Here, I will seek to show that one of the paradoxes of the workings of *colonial* governmentality was that it instead facilitated the emergence of new *collective* identities; specifically, it facilitated a new way of thinking, and the possibility of a new way of being, Muslim.

The 'backward' Muslim

From about the middle of the nineteenth century the concern began to be voiced in some quarters that Muslims were not being reached by the government-sponsored Western education introduced in 1835, and

they were consequently falling behind 'in the race for life', especially as this was measured by their representation in government employment.[3] In 1871 these observations gained sudden momentum with the publication of W. W. Hunter's *The Indian Musalmans*, which stapled together three issues: alleged Muslim disaffection with British rule, a decline in the number of Muslims in government employment and the failure of Muslims to partake of the government-sponsored system of Western education. According to Hunter, Muslims were the least contented of Her Majesty's subjects. Whereas once they had been the rulers of the land, and even after being supplanted by the British, had continued to staff the courts and fill the ranks of the colonial administration, more recently 'The educated Muhammadan [...] sees himself practically excluded from the share of power and of the emoluments of Government which he hitherto had almost monopolized, and sees all the other advantages of life passed into the hands of the hated Hindu' (W. W. Hunter, quoting E. C. Bailey: 112). Government employ had been de-linked from those skills which Muslims had cultivated as part of their religion and their role as rulers of India, such as knowledge of Persian. Persian had been supplanted by the vernaculars and English as the language of the courts in 1837, and after 1844, Western education had increasingly become a requirement for securing government employment. However, the secular education imparted in government and government-aided schools and colleges, through the medium of English or Indian vernaculars not known and/or despised by Muslims, and transmitted principally by Hindu teachers, was an education which, according to Hunter, was 'opposed to the traditions, unsuited to the requirements, and hateful to the religion, of the Musalmans' (132). Not surprisingly, Muslims had not taken to it readily or in great numbers, whereas the 'pliant Hindu', who 'knew no scruples' (137) and was unperturbed by the nonreligious character of the education imparted in Western schools took to Western education with gusto. The result was that Muslims ceased to supply much of the personnel for revenue collection, courts and police, as they had once done: instead, 'The staff of Clerks attached to the various offices, the responsible posts in the Courts, and even the higher offices in the Police, are recruited from the pushing Hindu youth of the Government School' (124–5).

The government immediately gave official endorsement to the idea that Muslims were falling behind in education.[4] A resolution of the Government of India in August 1871 noted that in most provinces Muslims were not availing themselves of educational opportunities in proportion to other communities, and it called upon provincial

administrations to suggest ways and means of redressing this imbalance. A decade later the Indian Education Commission, chaired by Hunter, concluded that 'in many parts of the country, the Musalmans have fallen behind the rest of the population' and made recommendations designed to redress the problem of Muslim reluctance to participate in Western education.[5]

The idea of the backward Muslim was one that was embraced and articulated, in tandem with the government, by a section of the Muslim elites. Sayyid Ahmad Khan, who dedicated much of his life's labours to the improvement of the status of the Muslim community of India, responded to Hunter's book by denying the idea that Muslims were a perpetually disaffected and potentially disloyal section of the population; but he endorsed the proposition that Muslims had fallen behind in education and hence in the 'race of life'.[6] Indeed, this was to be the central premise underlying his involvement as the moving force behind the Muhammadan Educational Conference (founded in 1886, originally as the Muhammadan Educational Congress) and the Muhammadan Anglo-Oriental College, both of which aimed at rectifying the situation through the voluntary efforts of the Muslim community. The concern with Muslim backwardness was echoed by other Muslim organizations. In 1882 the Bengal-based National Muhammadan Association presented a memorial to Viceroy Ripon, in which it complained that the replacement of Persian learning by English education had meant that the advantage formerly enjoyed by elite Muslims had been lost: 'English-educated Hindu youths trained for the most part in missionary institutions, from which the Mussalmans naturally stand aloof, now poured into every Government office and completely shut out the Muhammadans.'[7] Over thirty years later, M. Azizul Huque began his history of Muslim education in Bengal with the lament that things had gotten worse rather than better – 'shut off from all legitimate and noble vocations of life by force of circumstances and stress of competition, we find ourselves hopelessly lost in the battle of life', all because of 'want of proper training and education' (Huque, 1917: 2–3).

If Muslims were 'backward' (the main measure of this being their numbers in government employ), and if this were because they were backward in Western education in particular, why had Muslims been tardy in embracing Western education? Many reasons were offered, of which the two usually accorded great importance we have already encountered. One was that the change in the languages used for judicial and administrative purposes had disadvantaged Muslims. The second was that Muslims were averse to the secular nature of governmental

education. The report of the Hornell Committee, appointed by the Bengal government to investigate Muslim educational backwardness in 1914, concluded that one reason why Muslims 'failed to take their proper share in the public life of Bengal' was that 'They were at one time afraid that education given through the medium of English and the Vernaculars would sap the principles of Islam, and for a long time they refused to take any part in the educational system of Government, thereby failing to profit by the opportunities of which the Hindus took full advantage'.[8] The judgement of this committee was soon endorsed by the Government of Bengal.[9] Almost twenty years later, the quinquennial report on education for 1927–32 was still attributing Muslim educational backwardness to 'loyalty to their traditional learning and religion'.[10]

The claim that Muslims were 'falling behind', and that this falling was because they were underrepresented in the education system, was vigorously contested, sometimes from within the colonial bureaucracy. However, at the highest levels of government, 'Muslim backwardness' was to retain its status as a problem needing remedy from the 1870s to Independence. And the early explanations for Muslim educational backwardness, with all their imagery of a ruling race fallen upon hard times and nostalgic for the past and reluctant to adapt to the new realities – the idea that 'Muslims were now laggards, all sulking in their tents, dreaming of lost empires and reciting decadent poetry' (Lelyveld, 1996: 86) – was to have a long life. It was to be reproduced or paraphrased in subsequent government enquiries and official writings as well as in other works.[11] In this way, the idea of Muslim backwardness gained a far wider currency than simply the in-house documents of the bureaucracy, for as the image of the 'backward but proud Muslim' was reproduced, paraphrased and elaborated, it took on a life and vitality of its own.

Seeing backwardness

Why did the issue of Muslim backwardness come to be foregrounded? Were they in fact 'backward'? These issues continue to be debated today (R. Ahmed, 1981; Basu, 1974; Murshid, 1995), not least because inequalities of education and employment between Hindus and Muslims have sometimes been adduced as important causes for the Partition of the subcontinent in 1947. My concern, however, is not with the substance of these arguments but rather with a prior, epistemological question: what made it possible for 'backwardness' to emerge as an object of knowledge? What were the enabling 'epistemic conditions' that made it

possible to pose the question of Muslim backwardness, let alone posit it as a pressing problem in need of solution?

The importance of statistics is obvious because the discourse of the 'backward Muslim' was made possible by, conducted through and indeed obsessed with numbers. The issue of Muslim educational backwardness first became a public concern around the time of the first all-Indian census. This was in part reflected in how figures were collected for the census,[12] and of course the census made it possible to pursue and seek to prove or disprove, the fact of Muslim backwardness. Religion appeared as a fundamental category in the census, one that was cross-tabulated against a number of others – sex, marital status, occupation (after 1881) and education. Numbers on Muslim backwardness proliferated, as concern occasioned by it soon generated further figures. A Government of India resolution of July 1885 mandated that educational reports provide information on 'the position and advancement of the Muhammadan community, not merely as a whole, but with reference to local variations, in order that the Government of India may be kept fully informed as to the state and progress of this important section of the community' (cited in Mahmood 1981[1895]: 175). It is perhaps more than a coincidence that W. W. Hunter, who was so frequent and important a contributor to the discourse of Muslim backwardness, was also, as Director General of Statistics, the compiler of many of the statistics he mobilized. It was soon after completing his labours compiling the Imperial Gazetteer that Hunter took on the role of Chairman of the Indian Education Commission.

It was not only the colonial government that accorded importance to statistics. The 'Aims and Objectives' of the Muhammadan Educational Congress, drafted by Sir Sayyid in 1886, also accorded importance to statistics when he observed that 'people in one district [...] know little about the state of education of Mahomedans in other districts; they do not know whether their co-religionists outside their own local circle are going forward or backward, and what are the causes of the same.. It was to enable Muslims from various parts of India to gain an overall picture of the state of Muslim education and to allow them to 'meet together to converse on the subject of national education, and think over the means by which it may be advanced' that an annual meeting was necessary. At this meeting, Sir Sayyid went on to suggest that delegates from districts should 'read before the meeting a statistical report of the condition of Musalmans in their districts', which would cover, among other topics, the number and type (urban and rural) of Muslims in the district, their general condition, the number and types of schools and colleges, the

kind of education imparted in them and the number of Muslims being educated in them (in Mohammed, 1978: 767–9). In 1893 there was even an attempt at a non-governmental 'Mahomedan Educational Census', which sought to mobilize 'public spirited Mahomedans' to go door to door to the house of every Muslim in their locality to collect information of a type and at a level of detail not covered by the government's census. Statistics were thus critical to posing the problem of Muslim backwardness. However, it is not that statistics allowed the state to finally 'see' and measure what was always there. It is rather that new regimes of knowledge, and the intellectual technologies associated with them, make certain things visible, just as they occlude others; or as Ian Hunter puts it, 'various kinds of cognition [...] are the historical accomplishments of specific intellectual technologies', and such cognitions are not available in the absence of such technologies (1994: 45). In the case of Muslim backwardness, statistics were the 'intellectual technology' that enabled the cognition of backwardness.

To say that backwardness is a phenomenon produced by, rather than simply measured by, statistics is still, however, not a complete characterization of the epistemic conditions which made it possible to 'see' Muslim backwardness. We can further pursue this question by means of a contrast with indigenous education. Many Muslims, we know, received 'instruction' of different types – *maktabs*, *madrassas*, *patshalas*, learning to recite *quranic* verses from a learned man in the mosque, and so on. These forms of instruction were a feature of Indian society up to and after the introduction of modern Western education. It was often, though not always, an explicit object of this instruction to pass on and reproduce the values and norms of communities characterized, amongst other things, by their adherence to Islam. However, the problem of 'Muslim backwardness' could not be posed from within this system of instruction.

Why not? Because although the *madrassa* and the *maktab* did indeed contain a conception of Muslim as transcending the limits of class and region, it did not easily imagine this as a subset of a wider social field. Education of this sort was not predicated upon a conception of society as a horizontal field, as a population, but rather as a series of segmented and hierarchically organized domains with correspondingly different needs and practices. Consequently, it was not conceived of as the transmission of a unitary body of knowledge, in principle accessible to all, and divided into elementary, secondary and tertiary, but rather as different knowledges and different forms of instructions for different social groups – village *patshalas* providing some very basic skills; specialized *patshalas*

providing instruction for certain professions and castes, *tols* and *maktabs* and *madrassas*, *maulvis* teaching recitation of Quranic verses in the mosque; and so on. Within this indigenous learning, the unified social field which makes judgements about backwardness and forwardness possible, was lacking. This became possible only with the emergence of an educational 'system' which presupposed as its object, 'population'. Population in turn becomes available as an object for cognition, measurement and regulation from a particular perspective – the perspective of a state concerned with the health, productivity and numbers of the population it governs. 'Backwardness', statistics and population thus imply each other, and they come into being and into visibility in the presence of a state with a particular kind of relation to its subjects – the 'governmentalized' state discussed by Michel Foucault.

Foucault in India

Governmentality in India, however, did not result in governance through individual freedom and self-regulation. Because it was a *colonial* governmentality, one premised upon autocratic rule over a subject peoples, it could not do so and was not designed to do so. What it did, instead, was posit the possibility and incite the desire for governance through liberty, but within a frame where that possibility was deferred, and where autonomous conduct was not possible – yet. But that does not mean that it had no real effects, or that the Foucauldian analysis of governmentality has no purchase in colonial India. Guided by a social imaginary of those over whom it ruled which naturalized ethnic and religious difference, governing through a new regime of power/knowledge, employing novel intellectual technologies that produced or made visible new 'facts', creating new 'educational, juridical, public-health, police and immigration bureaucracies' (Anderson, 1991: 169) which translated this imaginary into institutions and practices (census, map, museum – see Anderson 1991, 1988), the governmentalized colonial state created new 'facts on the ground' by making it possible to conceive of new *collective* identities or reconceive existing ones. For as should be apparent, the 'perspective' that made backwardness visible did so only inasmuch as it also entailed conceiving of 'Muslim' in a new way. Before this, as David Lelyveld writes,

> there were many ways to construe group identity among the people of India. Labels existed on many levels of generality and cut across each other in complicated ways. Those based on birth might involve

> a wide range of identities, from household to property holding group, to lineage, to endogamous group to a far-flung cultural category supposedly indicating shared status. A person might also be labeled by locality – a section of a village, a village, a cluster of villages, an old administrative unit, a large geographic region. Language identification was similarly ambiguous, because most Indians had command of a whole continuum of linguistic styles and dialects. Religious designations were often unclear; below the surface of the well-known scriptural religions one might detect an immense variety of ritual practices and objects of worship, some purely local, others amalgamating widely different great traditions (1996: 7).

Alluding to such forms of group belonging, Sudipta Kaviraj describes these as 'fuzzy communities', communities without a strong sense of boundaries and communities which did not ask 'how many of them there were in the world' (1994: 26). They were also fuzzy because here identities were relational and varied according to context, whereas colonial categorizations of these identities assumed so many isolated corporate groups which then entered into relations with one another. In the case of Muslims, the Muslim was at once member of an *ummah*, a worldwide community of the faithful and yet someone who belonged to a particular locale, to a sub-community, spoke one of a number of possible languages and (in some regions of the subcontinent) was a member of the high-status *ashraf* class or the plebian *ajlaf*. Life was lived as a network of dense and complicated hierarchical relations where one's identity was usually relationally determined and changing according to context rather than fixed in the manner presupposed by enumeration. This was a fact registered, for instance, in the names of Muslim *ashraf*, which apart from a personal name also had prefixes and suffixes indicating (in lieu of a surname) their 'title', their lineage or local connections, and sometimes other information, such as the place with which their family was connected. Biographies and autobiographies are a good guide to this information because they give the texture of such a complex and shifting range of identity-positions in a fashion that the social sciences seldom can.[13]

The peoples and communities of South Asia were reconceived once they came to be seen as subsets of the more inclusive category, 'population' (Cohn, 1988). That is, the discourse of the 'backward Muslim' not only brought into being a backwardness that was not thinkable and seeable in pre-colonial society, but in so doing also and equally abstracted from the differences of region, class and culture that characterized the

Muslims of South Asia. The discourse of the backward Muslim – enabled by statistics, and representing the perspective of the governmental state – in reconstituting the category 'Muslim' also made it available to practical consciousness and, in doing so, made it possible for others to think and be Muslim in a different way. Thus, education figured not only as the site where a 'colonial bourgeois subject' was posited but also – and with more consequential results – as a site where new forms of collective identity were enabled. Education proved to be transformative, but not, as conventional accounts of the 'modernizing process' would have it, because the modern knowledge disseminated through it replaced pre-modern superstition with modern Reason, thereby transforming the 'traditional' Muslim into the modern Muslim. Education proved important, rather, because modern Western education, unlike the *maktab* and the *madrassa*, was tied up with the governmental practices of the colonial state, and thus, it was a site for the elaboration of new ways of understanding and governing the 'population'. Filtered through the grid of governmentality and associated institutions and intellectual technologies, these ways of understanding then became available to sections of that population. It is not that Muslims were 'transformed' or remade into modern subjects (though no doubt some were), but rather that new ways of being Muslim became possible. To what extent these possibilities were grasped, and by whom, varied. For many it is no doubt true, as Ayesha Jalal concludes in her study of Muslim conceptions of selfhood in South Asia, the meaning given to Muslim identity through colonial schemes of enumeration 'remained more of an abstract legal category' than a living social entity (2002: 142). One proof of this is that Muslim reformers such as Sir Sayyid spent much of their time berating their fellow Muslims for continuing to be mired in petty minutiae and disputes, that is, for failing to discard, and rise above, the local allegiances and conflicts that gave shape and texture to their lives as Muslims.

But at the same time, this new way of being Muslim shaped others' projects for their own and their community's future. The idea of the backward Muslim, which presumed and made possible a new way of thinking 'Muslim', also made it possible to conceive of, and conceive the desire for, the 'forward' or modern Muslim. This conception and desire was to animate a number of diverse projects. Sayyid Ahmad Khan desired a 'new generation of Muslims who would have the knowledge, skills and values necessary to qualify them for public leadership' (Lelyveld, 1996: 317–8), and hoped that the Muhammadan Anglo-Oriental College would be the crucible in which this new generation could be forged. Maulana Abul Kalam Azad, as Congress nationalist and

then as Education Minister of independent India, sought a Muslim identity which would be securely anchored both in Islam and in Indianness, and it would combine these, in part, by being 'modern'. Muhammad Ali Jinnah, Qaid-e-Azam or father of Pakistan, had his own visions of what the Muslim who was not backward, but master of his own fortunes, needed to be like. Indeed, it was the heterogeneity of these desires, and the variety of projects which they gave rise to, that ensured that the figure of the 'backward Muslim', brought into visibility through colonial governmentality, would have real and lasting historical consequences.

Notes

1. Report dated 8 September 1824, in Parulekar, 1945: 9, 7.
2. From a report dated June 1853, in 'Correspondence Relating to education in the Lower Provinces of Bengal', *Selections from the Records of the Bengal Government*, No. XXII (1855: 9–10).
3. See for instance *General Report on Public Instruction in Bengal, 1851–52* (1852: xliv); and also *General Report on Public Instruction in the Lower Provinces of the Bengal Presidency for 1844–45* (1845: Appendix 5).
4. In fact, the evolution of government policy and the publication of Hunter's book were not entirely unconnected. Viceroy Mayo had asked Hunter to write a book on the question of whether Muslims were likely to rebel against British rule, and the book was written at the same time that government policy on the issue was evolving (see Hardy, 1972: 85, 88).
5. *Report of the Indian Education [Hunter] Commission, Vol. 1* (1883: 505).
6. In his review of Hunter's *The Indian Musalmans*, reprinted in abridged form in Shan, 1972: 65–82.
7. 'Correspondence on the Subject of the Education of the Muhammadan Community in British India and Their Employment in the Public Service Generally', *Selections from the Records of the Government of India: Home Department* (1886: 237, 239).
8. *Report of the Committee Appointed by the Bengal Government to Consider Questions Connected With Muhammadan Education* (1915: 3). The authorities in the princely state of Travancore also concluded that 'the question of the provision of religious education had stood in the way of an extension of education for Muslims' – *Report of the Travancore Education Reforms Committee* (1934: 283).
9. Government of Bengal Resolution, 3 August 1916, reprinted in *Muslim Education, With Special reference to the Madrasa-i-Azam* (1916), Madras.
10. *Progress of Education in India 1927–32, Vol. 1* (1934: 242).
11. Examples include: *Progress of Education in India, 1902–1907* (1909: 295); *Calcutta University Commission Report, Vol. 1* (1919: chapter 6); Ronaldshay, 1924: 235; and Sen, 1933.
12. For instance, in the Madras census of 1871 the tables on education and literacy lumped together Hindus, Jains and Christians to allow a comparison of how Muslims were faring vis-à-vis 'the rest' (see Conlon, 1981: 106).

13. See, for instance, Lelyveld's finely drawn picture of Sayyid Khan's life and of the life of north Indian *ashraf* more generally (1996: ch. 2) and also Russell and Islam (1994), which provides a richly textured account of the social and cultural milieu of the great nineteenth-century poet Ghalib.

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4

'Critique Will Be the Art of Voluntary Inservitude': Foucault, La Boétie and the Problem of Freedom

Saul Newman

One of the more seemingly problematic areas of Foucault's thought is on the question of freedom. What place does freedom have in Foucault's thought; how might it be understood? If 'power is everywhere', if it is coextensive with all social relations, if it is to be found in everyday interactions between individuals, then what room is left for freedom? How can spaces for freedom be reconciled with the ubiquity of power relations, with the apparent omnipresence of disciplinary constraints, with forms of power/knowledge which construct individuals as subjects and with governmental rationalities aimed at normalizing behaviour? Foucault sees freedom as a kind of 'game' played with power, as a series of strategic moves that can take place within certain limits set by power. However, if this is the case, it would seem to offer only limited opportunities for freedom. Freedom, and the possibilities of resisting power, would seem to be produced by, or at least realized through, the operation of power, and they are therefore always constrained by it.[1]

I want to argue, against this commonplace view, that Foucault is a thinker who is passionately – we could say ecstatically – committed to freedom. But how exactly should freedom be understood in Foucault's thinking? Clearly, for Foucault, freedom cannot be seen in terms of the standard liberal conception of negative freedom, or freedom from constraint. If we take the idea that freedom, so far from signifying the

absence of power and constraint, is intelligible and realizable through only its relation to power, then the notion of freedom from power simply has no meaning for Foucault. Freedom and power are not polar opposites, and they do not exist in a zero-sum game such that the absence of one is the condition for the presence of other.[2] Power and freedom have to be seen as existing in a relationship of mutual incitement and provocation, an agonistic game of strategies and wills, where each opposes the other but is also the condition for the other's very existence. However, it is also clear that Foucault's understanding of freedom cannot fit into the category of positive freedom, which refers to living and acting according to one's higher rational and moral capacities – that is, being autonomous in a Kantian or Rousseauian sense. While Isaiah Berlin's formula for positive freedom – 'being his own master' (1958: 8) – does indeed resonate with Foucault, if understood in a different way that I shall elaborate later, the sense in which Berlin intends it, as a certain standard of freedom which is said to be a reflection of our higher self, which the individual is expected, 'forced' even, to live up to, could not be any further from Foucault's sensibilities. While, as I shall argue later, there is some sense in which, for Foucault, freedom is realizable through only a kind of self-disciplining, this is not the same as setting up some universal standard or norm of freedom that we have to be disciplined into achieving. For Foucault, that is exactly what *liberal* freedom is all about.

So we can say that, for Foucault, freedom is not a property; nor is it a stable situation or state that one can be in – one can never claim to be finally free, either externally or internally. Rather, freedom must be constantly put to the test agonistically. To better appreciate the significance of freedom in Foucault's thinking, we therefore have to put to one side both liberal and communitarian understandings as well as the metanarrative of the emancipation of humanity. What would this be, after all, but the imposition of another form of power, another kind of social order in the very name of freedom?

What I want to argue here is that the key to understanding the question of freedom in Foucault lies in the problematic of 'voluntary servitude', whose enigmatic condition was first explored in the sixteenth century by Étienne de La Boétie, whose essay, *De la Servitude Volontaire*, comes to grips with what is perhaps the most intractable enigmas in politics: why people freely submit to their own domination. What I want to suggest is that the same line of questioning, the same critical impulse, inspires Foucault; specifically, what inspires him is the investigation of the micro-political relationship between the subject and power,

which, as we have seen, is never one of simple opposition but rather of mutual constitution and intensification. Foucault is concerned, after all, with that which binds us to power at the level of our subjectivities and, with the other side of this, how we are able to resist, contest and problematize this attachment and how we are able to engage in practices of self-constitution which are, for him, 'practices of freedom' (Foucault, 2000a: 281–301). Both La Boétie and Foucault's thought can be read as a profound meditation – and I intend this to invoke something of the spiritual sense of the word – on the possibilities of freedom and on our potential for voluntary *inservitude*.

Foucault's enlightenment

To trace this resonance between the two thinkers, I want to start by considering a lecture that Foucault gave at the Sorbonne in May 1978, called 'What is Critique?' Here, Foucault explores the emergence in Western thought, dating roughly from the fifteenth and sixteenth centuries (crucially, we should note that this is the time in which La Boétie is writing) of a certain 'critical attitude', which, importantly, predates the Kantian enterprise (Foucault, 1996: 382–98). For Foucault, a way of explaining the emergence of this critical attitude is as a reaction to what he calls the governmentalization of Western European societies during this period: the art of governing which characterized the Christian pastorate, and which during the Middle Ages had been confined to religious and monastic institutions, now becomes the general, ubiquitous rationality of society itself, pervading matters of family, social, economic and political life. As Foucault says, the fundamental question that emerges during this period is: *how to govern* (384). It is important, then, to look more closely at the Christian pastorate because this question forms the basis of the governmental rationality that persists even into our liberal biopolitical modernity. The key element of the pastorate, which Foucault explores in various places – particularly in his lectures taking place at the same time at the Collège de France and now published as *Security, Territory, Population* – is the notion of obedience: the shepherd-flock relationship is one of absolute obedience or servitude (Foucault, 2007: 177). This relation of submission takes place at an individual level; it is a relationship between the shepherd and the individual members of his flock. The shepherd governs each and all, singularly and collectively, 'omnes et singulatim' (Foucault, 2002a). What is cherished in this relationship is obedience as the absence or relinquishment of willpower, particularly

of the will over oneself; in Greek, *apatheia*. This is important and I will return to it later because both Foucault and La Boétie are concerned with the problem of the will.

However, such pastoral relations of obedience are always accompanied by the possibility of disobedience – for instance, the religious heresies of the Middle Ages, which could be seen in terms of 'counter-conducts' (for example, asceticism and other practices of self-discipline) which challenged the pastoral power of the Church to govern the actions, lives and souls of others in the interests of their salvation. We might say, then, that if power is the *conduct of conduct*, then counter-conduct is the reversal or disruption of this relationship – the possibility of acting and behaving differently. A reversal whose potential is ever-present in, and indeed presupposed by, any relation of power.

It is precisely this spirit of disobedience and of counter-conduct that, as Foucault argues, re-emerges in the fifteenth and sixteenth centuries in response to the explosion of governmental practices and discourses. Thus, alongside the question of how to govern arises the opposing question: 'how not to be governed?' – a question that guides and moves the spirit of critique. But this is a specific problematic: it is *how not to be governed in specific ways*, in the name of specific rationalities or principles or through specific methods; 'how not to be governed *like that*' (1996: 384). We see the appearance or re-appearance, then, of a glorious art: *the art of not being governed*. While, as Foucault goes on to say, doctrines of natural law and natural rights served during this period as the basis of this critique of government (385) – opposing the absolute power of the sovereign with some notion of juridical limits – the art of not being governed, at least as we might think about it today, suggests that rather than relying on any natural or ahistorical bedrock of freedom as the counter-point to power, freedom is something to be learnt and practised, a conscious style of living, something that is contingent to specific situations and which is continually elaborated.

To continue in this critical spirit – which also essentially motivates Kant's *Aufklärung* – Foucault seeks to inaugurate what he calls a 'historicophilosophical' mode of enquiry (1996: 389–92) – perhaps it would be more familiar to us as *genealogy*. This mode of enquiry proposes a historicization of ideas, such that a critical reflection on and interrogation of the legitimacy of modern forms of knowledge and regimes of truth are made possible; this reflection is through what Foucault terms their 'eventialization' [*événementialisation*] (393), which is a way of unmasking the

relationship between power and knowledge and a way of revealing the multiple coercions involved in a system of knowledge becoming hegemonic. The question asked here – and it is a crucial one – is not so much how a system of knowledge is forced on us in an overt sense but, rather, how and under what conditions it becomes acceptable and normalized. In other words, how do we come to accept our subjection to a particular regime of truth and the forms of power that go along with it? What must be investigated, in other words, is the mechanism by which we voluntarily subject ourselves to a specific mode of power. What is being highlighted is a sort of subjective threshold through which the subject binds himself to various forms of power, and that threshold is a certain regime of truth which we internalize.

Importantly, the fact that a particular regime of power/knowledge/truth becomes acceptable to us does not mean that this process was inevitable or that it revealed to us some original right that made it legitimate. On the contrary, its emergence is entirely contingent.[3] It is as if a system of power and knowledge suddenly arises, and the violence of its imposition is at the same time indistinguishable from our free acceptance of it – they are simply two sides of the same process of subjectification. But this contingent dimension of rupture, and this rejection of the notion of inevitability, means that any system of power/knowledge that emerges is always tenuous. They are merely singularities without an essence, and as such, they can always be thought otherwise and undone: 'one has to deal with something whose stability, whose rooting, whose foundation is never such that one cannot in one way or another, if not think its disappearance, at least mark that through which and that from which its disappearance is possible' (397). Every system of power is always fragile and haunted by the prospect of its own reversal and disappearance. So, we should not think of power in terms of mastery or domination but rather as an unstable, impermanent set of relations and interactions. To put it quite simply, power has to be thought of as an event rather than as a transcendental reality, and as such, it is an event that can be reversed. Foucault asks: 'And if it is necessary to pose the question of knowledge [*connaissance*] in its relation to domination, it would be first and foremost on the basis of a certain *decisive will not to be governed*' (398). Thus, for Foucault,

> if governmentalization is really this movement concerned with subjugating individuals in the very reality of a social practice by mechanisms of power that appeal to a truth, I will say that critique is the movement through which the subject gives itself the right to

> question truth concerning its power effects and to question power about its discourses of truth. *Critique will be the art of voluntary inservitude, of reflective indocility* (386, emphasis added).

This phrase – *critique will be the art of voluntary inservitude* – opens up a completely different dimension in Foucault. So far from being the one who locks us up into disciplinary cages, the Foucault that emerges here is one who asserts the primacy of freedom, indocility, inservitude and the refusal to obey. We must grasp the astounding insight offered to us here and appreciate its genuinely radical dimension. Foucault is saying, essentially, that all systems of power are not only fragile and unstable – they are, as he says, *events* without definitive origins, essence or transcendental unity or legitimacy – but indeed, can emerge and become hegemonic through only our free acceptance of them. Foucault is not proposing any notion here of ideological false consciousness. What he is saying is that systems of power/knowledge can operate through only a subjective threshold, in which the violence of its coercion becomes indistinguishable from our voluntary acceptance of it. But what does this really mean? It means that freedom – that is, the ability to think, live and act otherwise – is the ontological basis of all power. We have to be able to hear the murmur of freedom, of a yet unrealized and yet always potentially realizable freedom that speaks incessantly through the fissures of power; we have to be attuned to its voice lest it be drowned out by power's cogs and machinery. Rather than power being the secret of freedom, as Foucault has so often been interpreted as saying, *freedom is the secret of power*. And this startling revelation – the ontological primacy of freedom, whereby every system of power/knowledge depends on our will, our acceptance – means that the undoing and reversal of this system is equally a matter of will, of decision, of free volition. Just as we will our own submission to particular forms of power, so we can will our own release from them. That is why Foucault refers to a '*decisive will to not be governed*'. Is this not an affirmation of freedom in its truest form? It is not freedom as some abstract goal to be achieved, or as a program of liberation and social organization to be handed to us, but the freedom that we *always already have*. It is simply a matter of recalling this fact and reminding ourselves that the power that seems to engulf us really depends on our acquiescence, our consent, and all that is required to overturn this relationship of domination is a refusal of our servitude, a willing of our own freedom, a willingness to not be governed. Freedom, then, is simply our voluntary servitude reversed, our *voluntary inservitude*.

La Boétie's problem

Yet, to really appreciate the significance of this insight, we need to understand more precisely the problematic of voluntary servitude. And this requires an encounter with the figure who forms the enigmatic background to Foucault's thinking, who is silently but reverentially intoned behind his words.

Étienne de La Boétie, who was born in Sarlat in France in 1530, and who, if it were not for the *Discours de la Servitude Volontaire* (also known as the *Contre'Un* or *Anti-One* and written probably in 1548 when he was only 18) would only be known as the friend and confidant of Michel de Montaigne, asked a simple yet scandalous question: why do men obey?

> For the present I should like merely to understand how it happens that so many men, so many villages, so many cities, so many nations, sometimes suffer under a single tyrant who has no other power than the power they give him; who is able to harm them only to the extent to which they have the willingness to bear with him; who could do them absolutely no injury unless they preferred to put up with him rather than contradict him. Surely a striking situation! Yet it is so common that one must grieve the more and wonder the less at the spectacle of a million men serving in wretchedness, their necks under the yoke, not constrained by a greater multitude than they, but simply, it would seem, delighted and charmed by the name of one man alone whose power they need not fear, for he is evidently the one person whose qualities they cannot admire because of his inhumanity and brutality toward them [...] What monstrous vice, then, is this which does not even deserve to be called cowardice, a vice for which no term can be found vile enough, which nature herself disavows and our tongues refuse to name? (La Boétie, 2008: 40–3).

We can see how this willing submission to domination, this voluntary servitude to the will of a tyrant – who is simply a creation of the abandonment of our own will and our own power – constitutes a genuine mystery for La Boétie. He is dumfounded in the face of it and struggles to name it. It must not be confused with cowardice, he says, which, while it is despicable, it is in some ways understandable. Here, the power imbalance between the masses and the tyrant is so great that cowardice simply cannot account for the former's acquiescence to the latter; the people have the power, and yet they choose freely, voluntarily, to give it up to one man who lords over them and yet who is essentially their

creation, and who could be toppled without lifting a finger. How can this be explained? Like a doctor unable to diagnose his patient's condition, La Boétie struggles to identify and account for this moral sickness. There must be some sort of misdirection or aberration of the will: people, who normally naturally desire freedom for some reason choose to give up this freedom and to will their own servitude.

Freedom is our natural condition; man is a being intended for freedom and for the enjoyment of the natural bonds of companionship and equality, not the artificial bonds of power. Servitude is so far removed from our nature that even animals resist the slightest constraint on their freedom. To be subjected to power is therefore unnatural, and to will our own subjection to power is even more unaccountable. In this sense, La Boétie might be regarded as the anti-Hobbes. For Hobbes, the freedom that we suffer in the state of nature is unnatural to us in the sense that we cannot live in peace and security; and thus, the desire to submit to absolute sovereign power – even though it is a human artifice rather than a natural authority – is utterly natural and rational (Hobbes, 1981). For La Boétie, this whole rationalization of submission is reversed: we enjoy the freedom and equality, indeed, the plurality and singularity that nature endows us with; and then, for some reason, on account of some misfortune of history – which La Boétie does not or perhaps cannot explain – we give it up, and we have suffered the caprices of power and the torments of servitude ever since. One whole century before the shadow of Leviathan loomed up over our horizon, La Boétie had already disturbed its foundations by revealing the freedom that lay behind it, the freedom which Hobbes tried to make us forget.

Our fall into servitude has something to do with apathy; a kind of moral languor that comes over us so that we no longer desire freedom and independence. But at the same time, La Boétie is eager to stress that our servitude is active rather than passive; our domination is something that we willingly participate in; the cords that bind us we renew and strengthen daily: 'you weaken yourselves in order to make him the stronger and the mightier to hold you in check' (46–7).

How does La Boétie attempt to account for what is essentially unaccountable? He proposes three factors that might explain this lamentable condition that we find ourselves in. Firstly, he says, men become habituated into servitude such that they forget that they were ever free; obedience and docility become a matter of habit, a 'habituation to subjection' (54). As he puts it, 'Let us therefore admit that all those things to which he is trained and accustomed seem natural to man and that only that is truly native to him which he receives with his primitive, untrained

individuality' (59). Perhaps we are not very far here from Foucault's 'docile bodies' – the bodies and behaviours relentlessly trained, moulded and shaped in the disciplinary regimes of modernity. To what extent does this rely on a voluntary servitude, as described by La Boétie, rather than outright violence and coercion? To what extent would disciplinary power be possible without the subjectification of the subject so that he or she actively desires and willingly participates in his or her own disciplining and normalization?

Secondly, La Boétie refers to the ways that power distracts us, dazzles us and seduces us with its gaudy show, with its spectacles and rituals (63–4). Thirdly, La Boétie shows how power constructs for itself a hierarchy of relations in which the tyrant's place is sustained by intricate networks and relations of dependency. Our submission and obedience are assured – bought cheaply, La Boétie would say – by payoffs that we receive from those immediately above us; we submit to the power of another in return for our own little place in the great pyramid of power that we ourselves have constructed.[4]

However, La Boétie's explanations for our condition of servitude – and to some extent they are inadequate – are perhaps less important than the implications of his actual diagnosis of the problem of our voluntary servitude, this enigma at the heart of all political domination. But it all depends on what we take from his explanations. If we interpret La Boétie as *simply* saying that man will always, when he gets half the chance, submit to power and cut his own throat, then the notion of voluntary servitude does not get us very far, and it may even give rise to a certain conservatism, which says that men are born to submit. But nothing could be further, I would argue, from La Boétie's intentions, especially when he says that freedom, rather than servitude, is our natural condition. Therefore, the way I propose we read his great work is in an emancipatory sense, as a call to freedom, as a way of waking us up, arousing us from our enfeebled, servile state; perhaps we should read it in the same way that Foucault reads Kant's *Aufklärung*, as a way of rousing humanity out of a state of immaturity. La Boétie does this by confronting us with a truth so astounding that it has the power, even today – if only we would see it – to shake the foundations of political authority to their core. If we have freely chosen servitude, if we willingly participate in our own domination without the need for coercion, then this means that all power – even as it appears to bear down upon us – is essentially an illusion, one of our own making. If, in other words, we have created the tyrant in our act of submission to him, this means that the tyrant has no real power; the power he has over us is only *our*

power in an alienated form; the chains that bind us are possible through only an abrogation, a giving up, of our own power over ourselves. As he decisively puts it, 'He who thus domineers over you has only two eyes, only two hands, only one body, no more than is possessed by the least man among the infinite numbers dwelling in your cities; he has indeed nothing more than the power that you confer upon him to destroy you' (46).

All power is therefore fragile, and it is possible by only our continuing submission, the continual offering of ourselves to power. All we must do is to see through the veils of power, to see its essential weakness, its emptiness and impotence. All we must do if we want to free ourselves from the tyrant is to simply take back our power – or, even more simply, to stop giving ourselves up to him, to stop rendering our power to him. It is not even a question of overthrowing the tyrant, but simply to stop empowering him and instead to empower ourselves, upon which the tyrant will fall of his own accord – the spell of domination will be broken.[5]

The pedestal of power is one that we have erected through our continual submission; it is very easily pulled away by our refusal to submit. All power depends on our power – this is something we have forgotten. La Boétie wants people to recall their own power or rather to recognize that they had the power all along; they just didn't know it. La Boétie offers us no revolutionary programs to follow – none are needed; he simply wants us to emancipate ourselves, to emancipate ourselves from our own servitude. It is merely a matter of the will, volition, of 'willing to be free', as he puts it (47). La Boétie's text thus serves to remind us of our own will – how we lost it and how we can regain it. Is there not a profound connection here with Foucault's '*decisive will not to be governed*', which for him is the basis of all critique? The other side of voluntary servitude is therefore *voluntary inservitude*; the other side to power is freedom. The *Discours* is, like Foucault's work, an ethical meditation on freedom and its possibilities. Just as La Boétie considers the power of the tyrant to be an illusion, Foucault tells us that there is no such thing as Power with a capital P, that power has no essence, that it is not a substance but a relation, that it is not a property but an intensity and that even in the seemingly direst conditions of oppression there is always the possibility of resistance and therefore of freedom. To see power in this way – for both thinkers – is to in a sense strip away its abstractions, and to reveal the secret of freedom that it is founded upon; it is not a negation of freedom but a joyous affirmation of it.

Freedom and discipline

Of course, unlike La Boétie, Foucault would not trace voluntary servitude to one obscure but fateful historical moment, that is, to a fall from our original state of freedom; rather, there has been only self-subjection in specific ways to specific regimes of power. Nevertheless, the fundamental insight is the same: all forms of power, no matter how they are historically constituted, depend at some level on our willing acquiescence. How else could power arise? Voluntary servitude is the secret that underlies all the micro-disciplines and coercions, the institutional discourses, the regimes of surveillance and the vast carceral archipelago charted by Foucault. La Boétie's text, I believe, is the great key that allows us to unlock the eternal mystery of power; it shows us that power cannot exist without our own subjection to it. It sheds light on the threshold of subjectification that Foucault saw as the underside of any power relationship: why does the homosexual or madman attach himself to these institutionalized identities; why does the factory worker allow himself to be trained so that he becomes an appendage of the machine; why do we engage in rituals of confession that bind us to regimes of truth; why do we so earnestly seek out our truth in the codes of power? What is the hook, the clasp, the element that seduces us, that draws us in to this game of power?

Yet, as I have said, the other side to this wilful docility is wilful indocility, as La Boétie and Foucault so feverishly affirm. So, briefly, I think we can relate this problematic of voluntary servitude/voluntary inservitude to two key aspects of Foucault's thought. I have already spoken about his notion of eventialization and his general genealogical approach, which allows us to see that the structures of power, knowledge and truth which surround us have, in a sense, no essence, no transcendental legitimacy, and therefore no inevitability; they are ultimately contingent, fragile and depend on our willing submission to them. And this means that alternatives are always possible and that we are not condemned to the current arrangements. However, I want to explore briefly the relationship between power and the subject, and the way that – through the process of subjectification – a truth about ourselves is constructed for us such that we identify with it and allow ourselves to be governed in particular ways; yet, this also provides us with the means to resist this power. The subjectified subject is one who is always capable of resistance and therefore of freedom; the subjectivity that power creates for us is also the material from which we can resist power and from which we can fashion for ourselves new ways of being. This means that the process

of subjectification is always double-sided, unstable, unpredictable and reversible. While we are subjectified by power-truth, we are not determined by it, and there is always this excess, this element of unpredictable freedom which, while it is generated by power, is never confined by power and which always has the potential to refuse, resist and reverse the actual form of our subjectification.

A subsequent related point concerns the relationship between freedom and discipline. Contrary to the liberal model of negative freedom, which would see freedom and discipline as completely irreconcilable, perhaps we can see them as mutually dependent and constitutive.[6] We have seen how the action of disciplinary power produces the capacities for subjection but also agency and therefore freedom. But what Foucault was interested in, as we can see in his later work on ethics, ascesis and the care of the self, was the ways by which people, in certain historical periods and within specific cultural settings, particularly in Greek and Roman antiquity, have actually sought to discipline themselves, to impose upon themselves, through various means – meditation, self-denial, ethical interrogation – a kind of discipline that would allow them to be free. While these forms of discipline might be a reflection of the cultural forms that existed at the time – so we are in other words not talking about complete autonomy here – they were nevertheless much more autonomous, precisely because they were self-imposed, than the more institutionalized (religious, psychiatric and medical) modes and practices of discipline that emerged later with the Christian pastorate and have continued into modernity. Foucault refers then to 'an exercise of the self on the self by which one attempts to transform oneself, and to attain to a certain mode of being' (Foucault, 2000a: 282). Foucault, furthermore, sees this process of self-disciplining, self-fashioning as an ethical practice, which is always related to the practice of freedom: 'for what is ethics if not a practice of freedom, the conscious practice of freedom?' (284). In other words, freedom is not a permanent state that one achieves, but an ongoing project or series of practices by which one constitutes oneself in alternative ways.

But how does this practice of self-disciplining, or self-mastery, intensify freedom, and why should this be seen as an *ethical* practice (as opposed to simply aesthetic, as some have argued)? The various practices associated with what Foucault calls ascesis were intended to achieve some sort of mastery over oneself such that one would not be so susceptible to being disciplined and governed by others: there is the recognition, as Richard Flathman shows, that within oneself there are tendencies, desires and dependencies that make one more susceptible

to the power of others (Flathman, 2003). La Boétie would see this as the tendency towards voluntary servitude. Thus, ascesis involves forms of self-discipline designed to control and master such tendencies in the interests of one's freedom. Foucault puts it: 'concern for the self and care of the self were required for right conduct and the proper practice of freedom, in order to know oneself [...] as well as to form oneself, to surpass oneself, to master the appetites that threaten to overwhelm one' (Foucault, 2000a: 285).

This project of freedom through self-mastery is thus an ethical practice: 'Freedom is the ontological condition of ethics. But ethics is also the considered form that freedom takes when it is informed by reflection' (284). It is ethical because it not only concerns oneself but concerns also how one relates to others. For the Greeks, the desire to dominate others, to exert excessive power over them, is actually an indication that one is not master of oneself; one has become intoxicated with one's own appetite for power, an appetite or desire which has taken over all others within the individual. It is a sign of weakness rather than strength: as Rousseau understood, if one desires to dominate others, one is much more likely to be dominated by others.[7] One enters the dangerous game of tyranny only at one's own cost. Did not La Boétie also perceive this essential weakness of the tyrant; and did he not also warn that those who play the game of power, those who allow themselves to enter the tyrant's great pyramid, in the hope of rewards and favours, or so they can exert power over someone below them, put themselves at great risk? So, we have here, with the practices of freedom through self-mastery, also an ethics (and I would say perhaps a politics) of *non-domination*.

While we cannot, of course, be blind to the power relationships – over women and slaves – that those men of antiquity who practised ascesis were involved in, what we should take from this, or rather what this opens up the possibility for thinking about, is the idea of practising voluntary inservitude through a kind of ethical self-discipline; as I would put it, a *discipline of indiscipline*. As La Boétie perceived, our susceptibility to the domination of another was a kind of weakness, a moral sickness, a wayward and inexplicable desire, born of habit or induced through the false promise of riches and favours. Therefore, in order to be free, we must find a way of mastering and controlling such tendencies. We must, he would say, rediscover our will. And this can be done, as Foucault shows, only through these kinds of ethical practices of self-discipline. So we must be disciplined into freedom, not of course in Rousseau's sense of being forced to be free – which imposes a rational ideal that coincides with the community will – but rather a kind of self-discipline that

one fashions for oneself and freely imposes upon oneself. But this does not confine it to a liberal individualism: as both La Boétie and Foucault recognize, the release from voluntary servitude can be practised only associatively, each in relation to others. It implies, above all, a micro-politics of relations.

So freedom as a release from our voluntary servitude is a discipline, an art; it is something that is learnt and that one learns from others and teaches oneself; it is something that is fashioned, worked on, patiently elaborated and practised at the level of the self in its relations with others. It is a work on our limits, both external and perhaps more importantly internal. But freedom is our ever-present possibility and, indeed, as La Boétie and Foucault teach us, our ontological condition, our point of departure. This interpretation is, I would argue, the only way to make sense of Foucault's critical or philosophical attitude: 'I continue to think that this task requires work on our limits, that is, a patient labour giving form to our impatience for liberty' (Foucault, 2000b: 319).

Notes

1. This, at least, has been the charge made by many of Foucault's critics – from Marxists and critical theorists, to communitarians and liberals. According to these critical voices, Foucault undermines any real possibility for freedom. It is claimed that he leaves us at a dead-end politically and that his dystopian, pessimistic thinking locks us into disciplinary cages from which there is no possibility of escape. No wonder, it is claimed, Foucault turned in his later work to questions of ethics and the care of the self, which was seen by some as a further retreat away from politics into an individualistic and nihilistic aesthetics of self-fashioning, or by others, as an acknowledgement that his genealogical investigations had reached a certain limit or impasse beyond which he had to go if there were to be any conception of ethics or freedom at all. For critiques of Foucault along such lines, see for example Fraser, 1981; Taylor, 1984; Habermas, 1981; Walzer, 1991.
2. As Foucault says, 'there is not a face-to-face confrontation of power and freedom as mutually exclusive facts (freedom disappearing everywhere power is exercised) but a much more complicated interplay. In this game, freedom may well appear as the condition for the exercise of power (at the same time its precondition, since freedom must exist for power to be exerted, and also its permanent support, since without the possibility of recalcitrance power would be equivalent to a physical determination)' (2002b: 342).
3. As Foucault points out, 'Bringing out the conditions of acceptability of a system and following the lines of rupture that mark its emergence are two correlative operations' (Foucault, 1996: 395).
4. 'The consequence of all this is fatal indeed. And whoever is pleased to unwind the skein will observe that not the six thousand but a hundred thousand,

and even millions, cling to the tyrant by this cord to which they are tied' (La Boétie, 2008: 72).

5. 'Obviously there is no need of fighting to overcome this single tyrant, for he is automatically defeated if the country refuses consent to its own enslavement: it is not necessary to deprive him of anything, but simply to give him nothing; there is no need that the country make an effort to do anything for itself provided it does nothing against itself. It is therefore the inhabitants themselves who permit, or, rather, bring about, their own subjection, since by ceasing to submit they would put an end to their servitude' (La Boétie, 2008: 44).
6. As Richard Flathman argues in his discussion of Foucault, without discipline, there is no agency and therefore no possibility of freedom. Also, disciplinary limits must be present for freedom to be tested and measured against agonistically. See Flathman, 2003.
7. Consider using gender-neutral pronouns for the tyrant: We have to remember that in Ancient Greek philosophy, the tyrant is always a figure of great weakness and instability rather than strength; he becomes intoxicated with his own appetites to the degree that he has completely lost control over himself. For instance, in the dialogue between Socrates and Adeimantus in Plato's *Republic* (Book IX) Socrates proposes that: 'He who is the real tyrant, whatever men may think, is the real slave, and is obliged to practise the greatest adulation and servility, and to be the flatterer of the vilest of mankind. He has desires which he is utterly unable to satisfy, and has more wants than any one, and is truly poor, if you know how to inspect the whole soul of him: all his life long he is beset with fear and is full of convulsions, and distractions, even as the State which he resembles', *The Republic,* translated by Jowett, B., *The Project Gutenberg*, available at: http://www.gutenberg.org/files/150/150.txt (Accessed: 10 May 2014).

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Part II
Spaces of Governmentality

5

The Other Space of Police Power; or, Foucault and the No-Fly Zone

Mark Neocleous

In 1967 Michel Foucault gave a lecture at the Cercle d'études architecturales in Paris, on the theme of 'other spaces'. The lecture has two broad themes. The first is that in contrast to the nineteenth century and its great obsession with history, 'the present age may be the age of space' (Foucault, 1998: 175). The second is the idea of 'heterotopias', in which Foucault discusses the possibility of studying 'different spaces' or 'other places' as 'a kind of contestation, both mythical and real, of the space in which we live' (179).

The lecture was delivered on 14 March 1967, and since then has had a quite significant impact as the foundation for analyses of heterotopias in particular and of Foucauldian work in critical geography and on studies of space in general (for example, Crampton and Elden, 2007). To the best of my knowledge, however, no one has commented on the fact that Foucault's lecture was delivered just six weeks after the signing of the *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies*. This Treaty, known as the *Outer Space Treaty*, signed by the US, the UK and the Soviet Union and since then ratified by over a hundred other states, holds that 'outer space shall be free for exploration and use by all States'; it is 'not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means'; and the 'exploration and use of outer space shall be carried out for the benefit and in the interests of all countries' on the grounds that it is nothing less than 'the province of all mankind'. This is a remarkable set of claims: formal, international recognition that there exists an 'other' or 'different' space not subject to national appropriation as territory or to any claim of sovereignty. It identifies a particular space as the common heritage of humankind.

I am by no means suggesting that we should regard outer space as a kind of heterotopia and neither am I suggesting that Foucault somehow should have had something to say about the *Treaty*. But the fact that in a lecture on 'the age of space' Foucault has nothing to say about a fundamental international agreement about the 'age of space power' from just a few weeks before is rather telling. What it tells us is that Foucault has little interest in *air space* as a question of power. Using this observation as a springboard, I want to explore the space of air power in terms of a fundamental mechanism of 'our present' which Foucault did so much to pinpoint: the police power.[1]

Through a series of engagements with the police idea, in *History of Madness*, *The Birth of the Clinic* and other texts, and then developed in the two lecture series between 1977 and 1979, now published as *Security, Territory, Population* and *The Birth of Biopolitics*, Foucault explores 'police' not as crime prevention and law-enforcement but as the more general process of administration and security. As Foucault explains it, referring sometimes directly and sometimes allusively to early police thinkers and often as a way of trying to make sense of some of his better-known concepts, such as pastoral power and governmentality, in the seventeenth and eighteenth centuries 'police' connoted a set of apparatuses and technologies constituting 'the economy' and the order of labour: 'police' signified nothing less than the program of government rationality (Foucault, 1984: 241).

This is police as the maintenance of the body politic in terms of its health and welfare (hence the rich but overlooked history of 'medical police') and as an overarching principle creating a social body out of individual subject-citizens best captured in the Latin phrase used by Foucault when grappling with the idea of police, *omnes et singulatim*: everyone together and each individually (Foucault, 1981: 249). More than anything, however, this is a concept of police 'as a bundle of measures that make work possible and necessary to all those who could not live without it' (Foucault, 2006a: 62). This set of technologies and bundle of measures has one target: 'order'.

Now, Foucault makes it clear that the 'space' of police has historically been the city: 'From the eighteenth century on, every discussion of politics as the art of government of men necessarily includes a chapter or series of chapters on urbanism', and this is why 'at the outset, the notion of police applied only to the set of regulations that were to assure the tranquility of a city' (1984: 240–1). As such, any analysis of the space of police has to start from the order of the city. What I want to suggest here, however, is three-fold: first, we need to extend our understanding

of the space of police to the question of air space; second, this extension requires rethinking the dichotomy of police and war; and third, this might help us make a certain kind of intervention in the false dichotomy of the national and international. I want to make these suggestions via an analysis of the no-fly zone.

What is a no-fly zone? Formally, it is a prohibition on flying in order to call a halt to hostilities in the region, usually enacted in aid of a group or groups which might otherwise suffer violence. When the Libyan civil war broke out in early 2011 one of the first demands made by several political actors of varying political persuasions was for a no-fly zone. The debate surrounding this continued until the passing of the United Nations Security Council Resolution 1973, on 17 March 2011, imposing a no-fly zone over the country. This was one in a growing line of no-fly zones imposed for 'humanitarian reasons' by the 'international community'. The 'humanitarian reasons' are important, since although within the Security Council the case was made by major military states such as the US, the UK and France, the decision had wider support from those progressives and radicals who have insisted on an international 'responsibility to protect' or to intervene in support of democratic resistance movements, and it often follows calls from within those same movements. With this 'humanitarian' rationale, the no-fly zone appears to be a form of geopolitical action with widespread appeal. This was the case in Libya, has been the case in the debate about a no-fly zone in Syria in 2013 and was true of previous no-fly zones such as have been imposed over Iraq (in 1991, expanded in 1996 and lasting until the US-led invasion of the country in 2003) and Bosnia (1992–5).

Considered in terms of the politics of space, an important body of work within critical geography has grappled with some of the political issues that arise from the no-fly zone, framing it as a question of 'territorial integrity', 'vertical geopolitics' and a 'crisis in aerial sovereignty' (for example, Weizman, 2002; Graham, 2004; Williams, 2007, 2010; Butler, 2001; Elden, 2005; Adey, 2010). In so doing, the approach overlaps with the way the subject has been framed in international law (McIlmail, 1994; Schmitt, 1997–8) and strategic studies (Benard, 2004). However, to understand the no-fly zone we need more than 'sovereignty' and 'territoriality'. Rather, we need to think of the no-fly zone as a form of police power.

The question of what a no-fly zone is cannot be understood without grasping a little of its genealogy, which takes us through some complicated historical and conceptual issues concerning who owns the sky.

In Chief Justice Edward Coke's and Sir William Blackstone's classic texts on English law, both of them comment on two cases in 1598 and 1610 involving English landowners successfully suing their neighbours for building houses that overhung the line of their own properties. For Coke, the building of a balcony which extends over the line of a neighbouring property is impermissible, for 'the earth hath in law a great extent upwards, not only of water as hath been said, but of ayre and all things even up to heaven' (1628: Ch. 1, Sect. 1). For Blackstone the cases show that 'land hath also, in its legal signification, an indefinite extent, upwards as well as downwards [...] therefore no man may erect any building, or the like, to overhang another's land [...] The word "land" includes not only the face of the earth, but everything under it, or over it' (1979: 18). As Coke notes and Blackstone repeats, a property in land meant that one owned the air directly above it, and this was the basis of the doctrine *cujus est solum ejus est usque ad coelum*: 'whoever owns the land owns it up to the sky', or 'whoever owns the soil, it is theirs all the way up to Heaven'.

The principle *cujus est solum*, as it became known, remained firmly established all the way through the centuries (Abramovitch, 1962; Banner, 2008). It took a jolt with the emergence of air balloons first flown in France in 1783 which, as well as generating a debate about their military potential, also generated heated legal debate about whether the flight of a person in air balloon constituted a trespass on the property beneath. This led to the first air laws, introduced in the form of police regulations for Paris. But the principle *cujus est solum* otherwise seems to have remained intact until the twentieth century. In a book called *Air Sovereignty*, published in 1910, J. F. Lycklama à Nijeholt found that the principle *cujus est solum* appeared in some form or another in the key legal treaties of most states, that it had the support of many a legal scholar and that the few legal cases there had been across Europe also held to that view (Lycklama à Nijeholt, 1910: 34–5, 40–2, 73–4).

The French Civil Code, for example, held that 'the ownership of the soil carries the ownership of whatsoever is above and beneath it', while the German Civil Code of 1900 included the principle that 'the right of an owner of a piece of land extends to the space above the surface'. So when Louis Blériot flew across the English Channel in 1909 and pilots started flying at 20,000 feet in 1913, lawyers were still trying to make sense of the legal implications by discussing Coke and Blackston, and by citing cases dealing with disputes over balconies and tree branches. Yet as the technology of air power progressed, that situation changed, as the

concern shifted from individual property rights to state sovereignty and territorial control.

The problem for the state was that if individuals owned the air above their property, then flying over that property was impossible. The solution to the problem came by initially imposing limits on the height at which individuals might claim an interest. Thus, the German Civil Code of 1900 that I just cited also included the claim that the right of the owner did not 'forbid interference which takes place at such a height or depth that he has no interest in its prevention'. Likewise the Swiss Civil Code of 1907 held that although 'the ownership of the soil implies the ownership of all that is above and below the surface', it does so only 'to such a height and depth respectively as the owner may require' (for discussion see Abramovitch, 1962: 266; Banner, 2008: 110–15; Sachdeva, 1982: 396, 403). But what about the state's rights? Does a *state* have the sovereign right to cordon off airspace as its *own* property? Legal opinion at the time was clear. Aside from the technical issue that if individuals genuinely claimed sole right over the airspace above their property, then air power could not be developed, it was also thought that 'by giving such a right to a landowner, the State says that it considers *itself* sovereign over the airspace' (Lycklama à Nijeholt, 1910: 34, emphasis added). A 1910 conference held in Paris to consider flight regulation saw most states claiming absolute vertical sovereignty in precisely this way.

This regulation then generated a new and far more compelling question: if the state controlled the airspace above its territory, could other states travel across or through that same space? The question took legal and political theory back three centuries to the debate about the 'free seas' (and is the reason we speak of 'aeronautics' and why so much of the vocabulary of the air replicates that of the sea: pilots, ports, stewards, and so on). There are two ways of understanding the 'aerial ocean', as French lawyer André Blachère put it in 1911: 'On the one side is the sovereignty of the State – integral and egotistical – on the other side the still imprecise rights of the international community' (cited in Banner, 2008: 56). Blachère's comment identifies the key issue concerning the legal status of air space at that point: on the one hand, an argument for freedom of the air; on the other hand, an argument for national sovereignty over that same air.

In the years prior to the First World War, international lawyers struggled to reconcile the principles of state sovereignty and the international freedom of the air. An International Juridical Congress for the Regulation of Aerial Locomotion held in Verona in 1910 resolved that, on the one hand, 'the atmosphere above the territory and territorial

waters is to be considered territorial space subject to the sovereignty of the State', but it also held that, on the other hand, 'in territorial space, the passage and circulation of airships should be free, except for regulations necessary to protect public and private interests.' A similar tension emerged from a congress of the Institute of International Law held the following year: 'International aerial circulation is free', the Institute argued, 'except for the right of the subjacent States to take certain measures to be determined, in view of their own security and that of the persons and property of their inhabitants' (both cited in Banner, 2008: 60–1; see also Martial, 1952 and Dobson, 1991: 6). And similar positions with the same tensions emerged from meetings of the International Juridical Committee on Aviation held in Paris in 1912, Geneva in 1913 and Frankfurt in 1913. Thus, the freedom of the air (as 'common property') was somehow limited by the security and sovereignty of the state over the air above its territory (as its own property), but no one knew just quite how or where or when. One solution was to slice the airspace such that the state might claim right of sovereignty up to a certain number of feet that could in theory be made the state's property. This had the advantage of replicating the law of the ocean, which had divided the sea into a territorial zone surrounding the land and a further zone of 'international waters'. It thus satisfied the demand for both state sovereignty and 'free air'. But this slicing had some practical defects concerning how to measure the distance and whether the distance that might seem appropriate now would seem less appropriate with the development of better technology. At which point, World War One broke out.

The outbreak of the war temporarily put paid to the principle of the international freedom of the air. If before the war that principle had been both desirable and possible, the military use of air power during the war swept aside the claim for international freedom of the air. 'The neo-Grotian claim, that air by its nature could not be possessed, virtually disappeared', notes Banner. 'As the nations of Europe battled for control of airspace, it was clear not only that air *could* be possessed but that it had to be possessed if a country hoped to defend itself against attack' (Banner, 2008: 63; also see Sachdeva, 1982: 410). Thus Article 1 of the Paris Convention Relating to the Regulation of Aerial Navigation (1919) opened as follows: 'The High Contracting parties recognize every Power has complete and exclusive sovereignty over the air space above its territory'. The International Commission for Air Navigation created by the Convention was meant to be a component part of the structures of international order created at the same conference, including the League of Nations, and disputes regarding the Convention were to

be settled by the Permanent Court of International Justice. It meant that following WWI the international order had settled on the principle that sovereign states had the right of eminent domain over their territory and thus the right to exclude foreign aircraft from the skies above the land. The principle underlying the system of air travel, and thus by extension the principle underlying the system of air power, was that a nation had complete control over its own airspace (Latey, 1921). This control was confirmed in the 1944 Convention on International Civil Aviation held in Chicago, which held that 'every state has complete and exclusive sovereignty over the air space above its territory' and that other states may use this space only with that state's consent. International lawyers quickly confirmed the principle, claiming it as a fundamental tenet or well-recognized rule of international law (for discussion, see Cooper, 1947: 24–8; Cheng, 1956, 1960). The international agreement by the end of WWII was clear: sovereignty extended into the sky.

Nonetheless, the central tension from decades before remained. As much as the state owns and controls the 'fly zone' above its territory, the rapidly developing technology of air power seemed to offer new possibilities for capital, for transport and for international order, but they presupposed the need to fly across and through the zone in question. This tension was compounded by the fact that even if sovereign ownership of the sky above the territory had been conceded, it was never quite clear what 'sky' actually meant and thus where the 'fly zone' ended. The vertical limit of state sovereignty was unsettled, and it remains so: there is no agreed upon delineation between what might count as a state's territory and what might count as free outer space. Committees of the United Nations have constantly debated the issue and a convention seems to have emerged around the idea that a 'sovereign ceiling' of some sort exists but no height has ever been agreed upon. Some claim that it should be the height at which an object enters into orbit and thus somewhere between 70km and 160km, and others point out that the maximum altitude for aircraft is around 80km while space activities cannot be carried out below approximately 120km and so halving the distance would place the 'ceiling' at approximately 100km above the earth's surface. Yet others, such as the equatorial states which signed the Bogota Declaration of 1976, claim sovereignty up to the geostationary orbit, which is 36,000km. What is agreed is that despite the complex intertwinement of air law and space law, in the former the principle of sovereignty is paramount, whereas in the latter 'effective control' and sovereignty are impossible to effectuate – hence, the *Outer Space Treaty* cited above, declaring outer space to be the province of all

humankind (see Diederiks-Verschoor, 1999: 3–4, 5–6, 17–18; Reinhardt, 2005: 33–4; Goedhart, 1996; Oduntan, 2003).

It would therefore appear that the problem identified by political geographers and international lawyers is the central one: regardless of precisely where, vertically, sovereignty ends, surely any aerial intervention infringes the logic of sovereignty? Surely the logic of such intervention requires other states to fly under the state's territorial roof, regardless of where that roof might be said to be? And surely this is nowhere clearer than in the no-fly zone, which not only allows aircraft of other states the right to fly but simultaneously denies a sovereign state the use of its own airspace? Such questions are even more pressing when one realizes that the legality of no-fly zones is muddy at best (for example, McIlmail, 1994: 83; Schmitt, 1997–8: 736, 739; Adey, 2010: 77; more recently on Libya, see Gertler, 2011: 3–4). At worst, the legality is non-existent. Even the Secretary General of the UN considered the no-fly zones over Iraq to be illegal.[2] (In contrast to UN Security Council resolutions 781 and 816, which prohibited flights over Bosnia and Herzegovina in 1992, resolutions 678, 687 and 688 passed the year before authorized member states to use force in Iraq but did not specifically mention no-fly zones.) There is, therefore, no doubt that the no-fly zone violates the space of territory and sovereignty. But there is a more telling point to be made.

On the one hand, given that airspace is considered territory and that the purpose of a no-fly zone is to restrict not only movement in the airspace but also movement on the ground, the no-fly zone is a *de facto* occupation: a form of 'air occupation', as one US Air Force document puts it.[3] By undermining a state's borders, attacking a state's sovereignty and occupying the territory, the no-fly zone *is an act of war*. Liberal interventionists, pacifists and some radicals like to ignore or deny this, citing humanitarian reasons for the introduction of the zones and holding rather desperately to the line that the absence of 'troops on the ground' means that it is neither an aggressive act nor an occupation, but a comment by the US Secretary of Defense during the US intervention in Libya in 2011 makes the point: 'Let's just call a spade a spade', said Robert Gates, the Secretary in question; 'a no-fly zone begins with an attack on Libya to destroy the air defenses'. The point concerned not just Libya, but no-fly zones in general. 'That's the way you do a no-fly zone. And then you can fly planes around the country and not worry about our guys being shot down. But that's the way it starts' (cited in Sanger and Shanker, 2011). In other words, the first act in a no-fly zone is the classic act of air power – a bombing campaign – to destroy the military capability of the state which in theory controls the territory

of the 'zone' in question. This vulnerability is why most generals are usually honest enough: 'You have to take out their air defences. You also have to make sure they can't manoeuvre – which means you have to take out their tanks, and their armoured personnel carriers and all the other things that are actually doing the damage [...] you would be going to war' (General Sir David Richards, 2013). Or put even more bluntly, 'If we choose to conduct a no-fly zone, it's essentially an act of war' (General Martin Dempsey, Chairman of the Joint Chiefs of Staff, cited in Stewart, 2013).

On the other hand, the fact that the no-fly zone is so widely treated as an act of 'peacekeeping' rather than war is heavily dependent on the claim that such zones are an exercise of police power. The fact that the no-fly zone is presented as a *prohibition* on flying is important in this context. The 'prohibition' was more readily apparent from the no-fly zone's precursor, air interdiction. 'Air interdiction' took its name from a term that came into the language in the sixteenth century. An interdiction is a prohibition, and a military interdiction is the attempt to prohibit the enemy from engaging in the war – such as by cutting off weapons, food and information. Colonel John Warden III, widely regarded as the leading US air power strategist in the last 25 years, makes the point that although 'the history of interdiction is as long, and nearly as important, as the history of battle', the 'advent of the airplane [...] added a new dimension to this form of warfare' (Warden, 1989: 71). In military parlance 'interdiction' very quickly became 'air interdiction', defined as 'an effort on the part of air forces primarily [...] to deny an enemy materiel and human resources that it needs to carry on the war. The purpose of interdiction is simply to isolate the battlefield' (General Smart, 1986: 16). The idea of 'air interdiction' came to the fore in the extensive air campaign carried out during the US war in Korea, and this fact is important for two reasons. First, it reinforces the point just made: an air interdiction (and the no-fly zone) is never simply a prohibition on all flying but involves extensive bombing of targets within the zone by those imposing the prohibition. Second and more important, is the term stressed by the US in describing its military 'intervention' and interdiction in Korea: it was a 'police action', as President Truman put it in a news conference on 29 June 1950.

If the legality of the no-fly zone is muddy, then, it is because its roots lie in police, and thus it comes with all the legal muddiness of police powers. This muddiness is also why the guiding principle of such zones is *order* rather than *law*: police power exists for the fabrication of order, not the exercise of law (Neocleous, 2000: 95–118). The idea that *international*

police might be realized through air power presupposes that sovereignty must give way to order and holds in reserve the possibility that, however much a sovereign entity might resist intervention enacted in the name of this order, the requirements of international peace – that is, police – demand it. In Foucauldian terms we might describe the no-fly zone as a form of police power for the building of international order.

Yet is there not a problem here in that this act of police is also an act of war? And does this problem not highlight a fundamental tension in Foucault's work? As we have already noted, Foucault is undoubtedly the thinker who had done most to put 'police' back in the centre of political thinking, but Foucault also sought to think social relations through the model of war. This model has become clear from the publication of various lecture series through the early 1970s. For example, the great confinement which in *History of Madness* had been a *police* matter gets treated in the 1973–74 lectures on psychiatric power as a *battlefield* (Foucault, 2006b: 7). In *Society Must Be Defended* he asks whether 'if we look beneath peace, order, wealth, and authority [...] will we hear and discover a sort of primitive and permanent war?' (Foucault, 2004: 46–7). Inverting Clausewitz's well-known formulation, Foucault insists that we read politics as the continuation of war by other means, in which the task of political power lies in the perpetual inscription of relations of force through a form of unspoken warfare called 'civil peace'. We 'have to interpret the war that is going on beneath peace' because 'peace itself is a coded war' (2004: 51). This approach to thinking politically about war and thinking about war politically is reinforced in Foucault's more substantive works, such as *The History of Sexuality* but most notably in *Discipline and Punish* where he takes as his model a perpetual battle rather than contract and which uses the *military* (and not the prison, despite the book's familiar motifs) as the key institution for understanding power (Foucault, 2004: 15–16, 46–8, 50–1; Foucault, 1977: 168; Foucault, 1979: 93).

One can, therefore, read Foucault as sometimes thinking about power through the lens of police and sometimes through the lens of war. Yet there is something fundamentally strange about Foucault's work in this regard in that these really do seem to be two different lenses. In other words, he never really does very much to connect his concepts of police and war, such as offering an exploration of how these two apparatuses might be considered together, within each other, alongside each other or implicated in one another. In *Society Must Be Defended*, for example, he talks at some length about war yet gives just a couple of passing and somewhat superfluous references to police. Two years

later in the lectures contained in *Security, Territory, Population*, he talks about both police and war and yet for the most part discusses them separately. He speaks of 'two great assemblages': 'a military-diplomatic apparatus, on the one hand, and the apparatus of police [...] on the other' (Foucault 2007: 296). And although he suggests that there is a relation between police and 'European equilibrium' maintained by the military-diplomatic assemblage and that these two apparatuses had to 'maintain a relation of forces'(314), for the most part he keeps them apart, even going so far at one point as to characterize the Italian state as a state of military-diplomacy but not police (317; see also 110, 311–12). Likewise, Foucault describes the 'great *police* sorting out process' which began with 'the hunting down of vagrants, beggars, the idle' (1996: 83; 2006a: 62–4), yet he ignores the fact that the history of the hunt is the history of war.[4]

It is this somewhat disconnected relationship between police power and war power in Foucault's work that I think explains a number of features of contemporary thought concerning war and police. On the one hand, it explains why the substantial body of work stemming from Foucault's arguments about police rarely touches on the *international* dimension of police powers in a way which might force those scholars to consider the question of war. On the other hand, it is also why those who have laboured to make Foucault more relevant to geopolitical and international theory have more or less completely ignored the concept of police. Concerning this latter scholarship, let me give two broad examples which include some 15 published articles. In 2010 the journal *International Political Sociology* published an issue (Volume 4, Issue 2) with a special section exploring the relationship between Foucault and International Relations (IR), yet not one of the seven contributions raises the possibility of connecting the current question of war with the huge body of work on police inspired by Foucault's insights into this concept. In 2011 the journal *Geopolitics* published a special issue (Volume 16, Issue 2) on 'War Beyond the Battlefield' in which the authors seek to explore through an explicitly Foucauldian understanding the spaces where war and politics collide, yet not one of the eight contributions raises the possibility of connecting using Foucault's concept of police to grasp geopolitical issues of the war on terror. 'Police' appears in some of the articles, but it is most definitely *the* police that arrests people, brings charges, regulates demonstrations, and so on; in other words, what appears is a decidedly liberal and non-Foucauldian concept of police. The same point can be made of various other works. Despite their attempts to shake up IR and geopolitics, these

contributions remain firmly on the terrain established within geopolitics and IR; despite employing Foucault, they have thus more or less completely forgone any attempt to use the concept of police. But as I am suggesting, this radical disconnection would seem to have its roots in Foucault's own work.

I have argued elsewhere that from a critical perspective the war-police distinction is irrelevant, pandering as it does to a key liberal myth (Neocleous, 2010, 2014). Not just this particular liberal myth but the more general liberal mythology replicated in the whole sociological tradition, namely, the simplifying of the complexity of state power into distinct dichotomies: law/administration, constitutional/exceptional, normal/emergency, courts/tribunals, legislative/executive and state/civil society. (The growing body of Foucauldian work which asks 'how can we bring Foucault to bear on the international?' presupposes yet another dichotomy: national/international). It is precisely against such dichotomies that Foucault spent much of his time arguing. And yet, Foucault himself seems to operate with a war/police dichotomy. We therefore need to push Foucault on this dichotomy and perhaps even surpass him, because separating them in this way does little to genuinely bring 'war' and 'police' together and sheds little light on either; more or less replicating the liberal conception of police, it comes closer to mystifying rather than explaining.

I am arguing, then, that to understand our present we perhaps need to do something that Foucault held back from doing, namely, treating war and police as *always already* together; war and police as predicative on one another; war and police not as distinct institutions ('the military' and 'the police', which then begs rather pointless questions about how these institutions corelate, how they overlap, how they ape each other, how they are becoming blurred) but as *processes* working in conjunction. And I am likewise arguing that one way in which this could be done is by exploring technologies such as the no-fly zone as transformations in the space of power.

Here, the no-fly zone needs to be understood as running alongside and as part of the increased use of drones. (Most of the critical literature and radical commentary on drones says next to nothing about no-fly zones, and part of the implication of my argument here is that this absence is a major oversight. Indeed, one of the implications of this argument is that, however profound the transformation in the space of power that the drone is, one cannot fully understand this transformation and its future possibilities without connecting it explicitly to the no-fly zone.) I suggested above that the no-fly zone needs to be understood as a

fundamental tool in the process of 'air occupation' and cited a US Air Force document which used this phrase. But the document in question was in fact making a point about drones. It is the combination of the drone and no-fly zone that offers new possibilities for occupation and control of the air zone and thus of the territorial zone in general. And this occupation has the potential to be both *perpetual and universal*.

'A writer in a German military review predicted [in 1784] that the first nation to occupy and control the air would be in a position to impose *Universal-monarchie*, which was the eighteenth century's way of saying global dominance', notes Lee Kennett (1982: 2). The combined power of drones and no-fly zones means that this imposition has more or less arrived. This was the point foreseen by the very first air theorists, from Billy Mitchell's claim that the nation which controls the air 'may be able to control the whole world more easily than a nation has controlled a continent in the past', a step towards 'world dominion', Major Seversky writing about the 'global command of the air', to Alan Cobham's suggestion that 'the nation that controls the air will control the earth' (Mitchell, 1925: 25–6; 1930: 256; Seversky, 1959: 201; Cobham, cited in Lowell, 1927: 90). It is perhaps also the point revealed in the new slogan launched by the US Air Force in 2008: 'Above All'.

Yet this argument has a further twist. One of the problems in trying to understand no-fly zones through solely the lens of 'territorial integrity' or 'aerial sovereignty' is that these treat the no-fly zone as purely an issue in geopolitics. In one sense this treatment is not surprising, since it is the no-fly zones over Bosnia and Libya that have received most media attention. But this sidelines a remarkable fact: just as drone technology is now far more widely used for police purposes on the domestic front, so the same is true of the no-fly zone; *universal-monarchie* begins at home. No-fly zones were declared over the US after the attacks on 11 September 2001 and have since been declared following other attacks (such as the one declared over Boston after the bombings there during the 2013 marathon), but they are now enacted for a whole host of events in that country: for major political summits such as the *North Atlantic Treaty Organization* (NATO) summit in Chicago in 2012, for major sporting events, during Presidential visits to towns and cities, during the transportation of hazardous substances, dealing with disaster zones (such as the one declared for Mayflower, Arkansas, in April 2013 following an oil spillage there, and which is managed by ExxonMobil) and in police hunts for missing children. A no-fly zone was also imposed over the areas in which Chelsea Clinton's wedding and Michael Jackson's funeral each took place. The increase in such 'temporary' no-fly zones is huge (in

June 2011 alone the US Federal Aviation Authority announced at least 40 temporary no-fly zones, the details of which it has since removed from its website, and the fact that they could be declared and then removed before any scrutiny or challenge is telling). Yet the increase needs to be connected to the Air Defense Identification Zone (ADIZ), established in 2003 to restrict air traffic around Washington (a circle of 30 miles radius with Reagan Washington National Airport at the centre). The status of that zone was changed in February 2009 from a *temporary* 'flight restriction' zone to a *permanent* 'Special Flight Rules Area' (SFRA). This shift is the first of what is certain to become a trend for no-fly zones since we have already witnessed the permanence of the SFRA over Washington being matched by the permanence of other zones elsewhere: over the houses of ex-Presidents, over nuclear plants and over airports. It is a trend that continues a much wider process at the heart of bourgeois state power, in which the temporary security measure and emergency police power become permanent (see Neocleous, 2007; 2008: 39–75).

In the UK a similar practice has emerged. Following the no-fly zone imposed over London in September 2001, further zones have been put in place: over Manchester for the Labour Party conference in 2006, over cities whenever a terror alert is raised (such as over Leeds and Luton in July 2005 and Birmingham in April 2009), over the south-east of England during 2012 (for the Olympics and other sporting events, such as the Wimbledon tennis tournament). Permanent no-fly zones now exist over power stations such as the one at Dungeness and over the Farne Islands (a once temporary zone, now permanent). While debate was taking place in spring 2013 about the possible introduction of a no-fly zone over Syria, no-fly zones were declared for Belfast for the G8 summit being held there and for Hertfordshire to secure the Bilderberg Group which was meeting in Watford.

The beauty of such zones for the state lies in being able to embrace a key functionality of police power: on the one hand, a permanent police presence over/in some areas of sovereign territory; on the other hand, the possibility of other zones being introduced with immediate effect, on a temporary basis, subject to change with very little notice, and very easily made permanent. In tandem with the drone, the no-fly zone has constituted air space as a fundamental zone of engagement for the police power, and it will continue to do so in ways which will pose major problems for any counterstrategies (against drones, against no-fly zones, against police power). The no-fly zone's realization as 'international' police thus needs to be understood as part of its function as perpetual and universal police. In Foucauldian terms we might describe it as 'a

system of policing as tight and efficient as that of the cities [...] *over the entire territory*' (Foucault, 1984: 241, emphasis added). At the same time, however, it should also be seen as a continuation of a sort of unspoken and permanent warfare across the whole social order.

Notes

1. The material in this article was first developed and published in Neocleous, 2013a and 2013b. For a fuller articulation and application, see Neocleous, 2014.
2. 'They offer no legitimacy to countries sending their aircraft to attack Iraq', Boutros Boutros-Ghali said. 'Does that mean they are illegal?' he was asked. 'They are illegal', he replied. Interviewed by John Pilger (cited in Pilger, 2003: 79).
3. The phrase is from Carmichael et al. 1996: viii.
4. In Deleuze and Guattari's account of the 'war machine' they deny this, claiming that 'it is certain ... that war does not derive from the hunt' (1980: 395). Yet they make this claim solely on the conception of the hunt as a relation between man and animal, thereby completely overlooking the hunt as the relation between human and human. In other words, they completely overlook the hunt as war and, despite their interest in capital, as a form of class war at that (see Neocleous, 2013c: 7–31).

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6

On the Road with Michel Foucault: Migration, Deportation and Viapolitics

William Walters

> You road that I enter upon and look around, I believe you are not all that is here, I believe that much unseen is also here.
>
> Walt Whitman, Song of the Open Road (1856)

The Foucault fix

Foucault opens his famous work on insanity in the age of reason, *Madness and Civilization*, with a figure that appears at once stark and mysterious. It is the ship of fools (*Narrenschiff*), 'a strange "drunken boat" that glides along the calm rivers of the Rhineland and the Flemish canals' (Foucault, 1988: 7). The literature of the late fifteenth century was alive with 'romantic and satiric vessels', Foucault points out. But amongst all these imaginary craft the ship of fools also had a 'real existence' (1988: 8; cf. Scull, 1993: 6–7). Quite frequently, and especially in Germany, municipal authorities would hand over their madmen to 'boatmen' with instructions to remove them from the city. 'Often the cities of Europe must have seen these "ships of fools" approaching their harbours' (1988: 8).

But what was the meaning of this practice of using ships to ferry away the mad? Foucault insists it was more than a 'general means of extradition'; this was a highly symbolic act that had everything to do with the way madness was coming to haunt the imagination of the Renaissance.

> [The ship of fools] made […] [the madman] a prisoner of his own departure. But water adds to this the dark mass of its own values; it carries off, but it does more: it purifies. Navigation delivers man to the uncertainty of fate; on water, each of us is in the hands of his own destiny; every embarkation is, potentially, the last […] The madman's

> voyage is at once a rigorous division and an absolute Passage […] Confined on the ship, from which there is no escape, the madman is delivered to the river with its thousand arms, the sea with its thousand roads, to that great uncertainty external to everything. He is the prisoner in the midst of what is the freest, the openest of routes: bound fast at the infinite crossroads. He is the Passenger *par excellence*: that is, the prisoner of the passage (Foucault, 1988: 11).

As *Madness and Civilization* unfolds Foucault will leave behind this strange ship, returning to dry land and the cartographies of power for which he is best known. Hence the chapter on the ship of fools is followed by Foucault's account of the 'great confinement', and we encounter a landscape of power that is being transformed by the emergence of houses of correction, houses of charity and early hospitals that, along with other measures, served as 'the densest symbol of that "police" which conceived of itself as the civil equivalent of religion for the edification of a perfect city' (Foucault, 1988: 63).

This move from the ominous ship to *terra firma* is echoed by a similar move in *Security, Territory, Population* where Foucault sketches a genealogy of police. There, we move from the road to the city and its institutions of control. In these lectures Foucault observes that as a rationality of government, police emerged only gradually. Its origins lie partly in a sprawling mass of ordinances pertaining to urban regulation dating from the Middle Ages. It was only in the eighteenth century that details of these ordinances were systematically collected and assembled into large compendia.

But there is a second line of descent by which the governmentality of police is traceable.

> The other institution that is […] a preliminary to police, is not urban regulation but the mounted constabulary, the *maréchaussée*, that is to say, the armed force that royal power was forced to deploy in the fifteenth century in order to avoid the consequences and disorders following war, and essentially the dissolution of armies at the end of wars. Freed soldiers, soldiers who had often not been paid, disbanded, made up a floating mass of individuals who were of course dedicated to every kind of illegality: violence, delinquency, crime, theft, and murder. The maréchaussée was responsible for controlling and repressing all these people on the road (Foucault, 2007: 335–6).

That is about as much as Foucault, at least in these lectures, offers us on the theme of the road and its dedicated forms of authority. Yet it would

be fascinating to know more about this second tributary, this second figure of police and its relevance for the history of our present. Virilio has pointedly observed that with the invention of the railway system, we also get the invention of the railway *accident* of derailment (Virilio, 2007: 10). Perhaps we should amend Virilio's formula to add that each transportation system also gives rise to its own forms of conducting conduct and counter-conduct. Indeed, was it not the public bus and the tram that invented the very figure of the *conductor*?

Scattered throughout Foucault's writing we find fleeting references to transportation systems and power relations. The policing of the streets of the plague town is mentioned in *Discipline and Punish* (Foucault, 1977: 195), as is the problem of military ports (144). His lectures on pastoral power remind us that political and religious sovereignty was not always and everywhere exercised over a territorially delimited and fixed body of people. In the case of the ancient world of the Mediterranean East, and with the Hebrews, he notes, it is exercised over a flock, 'a multiplicity on the move' (Foucault, 2007: 125). And let us not forget the remarks on the boat that conclude the lecture 'Of Other Spaces'. Here, Foucault insists that not only has the boat been a preeminent technology of trade and economic development for our civilization. It 'has been simultaneously the greatest reserve of the imagination'. That 'place without a place', 'the ship is the heterotopia *par excellence*'. In civilizations without boats, he tells us, 'dreams dry up [...] and the police take the place of pirates' (Foucault, 1986: 27).

Yet these lines of connection, these routes and passages, are never systematically developed in Foucault. What I am calling the *Foucault fix* refers to the fact that Foucault's genealogies of power and subjectivity tend to privilege fixed structures, such as the prison, the clinic and the school. Put it this way: Foucault describes a carceral archipelago in intimate detail. Yet he tells us little about the organization of movement around, between and beyond the 'islands' that make up this formation.

It can be somewhat facile to criticize a major thinker for her or his omissions when those omissions relate to a preoccupation of our own time – in this case mobility – that was not necessarily a major concern of theirs. That said, this Foucault fix is still a puzzle. It is curious because questions of motion and themes of circulation are not marginal but in fact extremely central to Foucault's studies. In fact, Foucault is distinctive for the fact that he thinks about questions of movement on multiple scales and intensities. What is disciplinary power if not a quest to shape and mould the body at the level of its gestures, its comportment, its specific rhythms? What is police, and then in a different way the various

apparatuses of security, if not experiments in shaping, channelling, sorting and capitalizing the potentially unruly circulations of humans and things? Thrift is somewhat harsh in claiming a lack of 'energy' and insufficient concern with 'motion' in Foucault (Thrift, 2007: 55). Allen is on firmer ground, in my view, when, upon contrasting Foucault's writings on the microphysics of power with his lectures on the 'art of dispersed government' of populations, he faults the latter for a deficit of 'topological detail'.

> In contrast to the detailed survey of techniques in Foucault's earlier institutional analyses – documenting the distribution of individuals in penal spaces, for example, on the basis of a series of grid-like expectations about how prisoners should conduct themselves – we have scant detail of the spatial assemblages involved in the management of dispersed populations (Allen, 2003: 82).

In this section I have suggested that in numerous places in his work Foucault reveals a keen interest in roads, vehicles, ports and even the exercise of political and religious authority over a people in motion. But these are promising lines of inquiry that he does not ever expand on. A more sustained engagement with practices and mediations of mobility would be one way to address the imbalance Allen detects.

If Foucault did not adequately ground his analysis of dispersed government of populations in an account of how populations move, and the terms under which they move, can the same be said of the field of governmentality studies that has taken up his analytics and provocations? This is a question we take up in the following section.

Mobile governmentality

What would it mean to bring greater topological detail to problematics of circulation and movement? What would it take to undo this Foucault fix whereby the genealogical investigation of technologies of power and subjectification tends to privilege static and usually terrestrial institutions, while largely overlooking the ways in which powers of various kinds have been mobilized with regard to roads, seaways and air routes?

Governmentality studies provide some answers to these questions. Resonating with the much broader 'mobilities turn' in the social sciences (Urry, 2007), we can identify some important ways in which Foucauldian-inflected research has engaged fruitfully with problematics

of movement and circulation. I will mention just a few of these lines: the growth of studies of ports and airports understood in terms of their practices of sorting, channelling, decelerating and accelerating movements of people and things (Salter, 2007); the mapping of specific knowledges that have made movement programmable, such as the fascinating history of logistics (Neilson and Rossiter, 2010); a concern with modes of interaction between practices of security and practices of freedom, inasmuch as these are increasingly mediated by technologies of surveillance and professionals of unease (Bigo, 2011); and a focus on autonomous movements of migrants in the making of new 'moral geographies' (Garelli and Tazzioli, 2013).

These and other lines of research are contributing towards a more mobile version of governmentality. They are thickening the topological detail that is somewhat thin in Foucault. The discussion of viapolitics that follows this section represents my own contribution to this end. But before turning to viapolitics, there are two critical points I wish to make about the attempt to focus governmentality more fully on problematics of mobility.

First, studies of governmentality tend to see the movement of people and things in terms of how movement is produced, regulated, surveilled and contested. To date, they have largely failed to examine vehicles as mobile places and knots of power relations in their own right. In other words, we still lack a microphysics of roads, vehicles and vessels. For example, to what specific forms of authority are we subjected as passengers on a plane in flight or a ship on the high seas? Foucault identifies the shepherd-flock (Foucault, 2007: 125–6) and helmsman-ship (123) games of power, but what of the peculiar powers exercised by a captain at sea or in flight?[1] And what of the particular ways in which roads, trains and planes manage to combine productions of freedom, constriction and confinement? (Tsing, 2005: 6). Agamben's analysis of the camp has proved hugely influential for studies of migration. But perhaps we should also speak of *the brig*: the manner in which a prison or holding area can materialize within a ship but other vehicles as well. We will revisit these questions when I discuss the flight of the deported.

My second criticism of recent moves towards a more mobile governmentality is that they have been overwhelmingly focused on the present and recent past. This presentism is unfortunate because it has cut off the problematization of mobility from a wealth of concepts, practices and knowledges that might prove useful for defamiliarizing the present. When Foucault excavates archaic concepts such as *polizei*, it enables him

both to better grasp the specificity of liberal power but also to appreciate the persistence of archaic forms of power in the present. We have yet to make this move when it comes to mobility.

Our understanding of the government of mobility is constrained by a certain presentism. There is an urgent need to move beyond the language of mobility that, as one of the most cherished concepts of liberal society today, is palpably incapable of making sense of its forms of power. Furthermore, we can get only so far if we qualify mobility by juxtaposing it with immobility and other stillnesses. In my view, there needs to be a thoroughgoing engagement with the uncanny: with identities, problems and experiences that pose a sufficient strangeness to our own time.

Consider apodemics, for example. We know very well now of the absolutely pivotal role which the rise of statistics as a form of knowledge has played in constituting the possibility of modern regimes of government (Hacking, 1991). But how should we do the history of *apodemics*? According to Feuerhahn (2001: 144–5), apodemics emerged in Europe at the end of the sixteenth century (see also Kleinschmidt, 2003: 163–5). The word derives from the Greek 'to travel'. Apodemics was actually closely related to the emergence of 'Statistiks' in the Germanies. One of its goals was to train the traveller to become a reliable observer who, when sent on long journeys to foreign lands in the service of the sovereign, could collect and organize useful information and relay it to that sovereign. Apodemics included instructions in how to travel – it thus related to the art of travelling – for the purposes of making the journey to foreign lands a technique of knowledge accumulation.

A concern with vehicles as sites and experiences of power relations, and a more genealogical sensibility when it comes to approaching problematics of movement – these are two contributions that future research might make for the development of a more mobile conception of governmentality. In what follows I will directly address the first of these concerns. I address the latter concern only indirectly by shifting my focus from mobility to viapolitics.

Viapolitics

The mediascapes of migration in many western countries regularly feature such charged and emotive images as overcrowded fishing boats transporting migrants across dangerous waters, itinerant workers clinging to the sides of thundering goods trains and trucks and containers opened up or X-rayed to reveal hidden 'human

cargo'. Migration policyscapes are also increasingly preoccupied with the routes and journeys taken by migrants crossing militarized and surveilled borders. Whole territories are now labelled 'transit countries', and their governments are pressured to crack down on migrant routes. The phenomenon of unauthorized migration is, it seems, increasingly apprehended – in both senses of the word – as a question of routes and journeys.

All human migration involves journeys of some kind or another. But by no means are all migrations made visible, demonized or memorialized in terms of their journeys and their vehicles. Only under particular conditions do migrants come to be named, pitied or vilified in terms of particular vehicles that they may have utilized – as boatpeople, wetbacks, stowaways, and so on. Migration is of course a multifaceted phenomenon involving all manner of experiences and identities, many of which may have very little to do with mobility (Hage, 2005). Only under particular circumstances do we encounter the move of metonymy whereby the part that is the journey is misrecognized for the whole that is human migration. For example, when a racialized and often xenophobic politics of 'immigration' returned to the centre of British politics in the 1970s, its avatars included the 'inner city' and 'mugging'. Arguably, the journeys of migrants and the vehicles that transported them to Britain had but a very minor place in the mediascape or the policy space of migration. Not so today. Something has changed.

When imaginings of the journey acquire a prominent place in public mediations of migration, or when the policing of routes and vehicles becomes a central strategic undertaking in the governance of migration, then migration has become viapolitical. What I am calling viapolitics is not a synonym for migration or the politics of mobility. Rather, it lays claim to a more specific and determinant plane of reality. It draws our attention to those particular instances and situations where aspects of the journey (such as its vehicles, authorities, markets and infrastructure) become prominently entangled in the politics of migration.

To understand the specificity of viapolitics it is useful to compare it to Foucault's treatment of sexuality. If Veyne has heralded Foucault as 'the first completely positivist historian' (Veyne, 1997: 147), it is because Foucault seeks to write history without recourse to any universals and dispenses with the presumption that anything – sexuality, the economy, reason, and so on – provides an eternal ground for plotting transformations in who or what we are. Hence, humans have always had sex but sexuality on the other hand is the correlate of a *dispositif* of experts,

techniques, knowledges, policies, laws and spaces that emerges only in the nineteenth century.

By analogy, I suggest that even though all migration involves journeys, it is only under specific conditions and with particular effects that the journey, the route, its vehicles and the complex social relations that underpin any journey become objects of expert knowledge and counter-knowledge. We are in the presence of viapolitics only when migration is problematized from the angle of the journey, and the vehicles, authorities, markets, infrastructures and subjectivities that mediate that journey.

There are three meanings of the word 'via', each of which intersects within the idea of viapolitics. First, *via* can be a preposition that refers to the in between zone that is the *en route*. Hence, I could say I travelled to Greece via Turkey. So in this first sense viapolitics corresponds with the fact that such developments as the intensified policing and in some cases militarizing of borders is making the en route a thicker, more complex, and a more risky time and space. For people who lack the appropriate papers, or the 'wrong' risk profile, the route is rarely a straight line from A to B.[2] Instead, it is jagged, discontinuous, involving multiple forms of transportation, multiple temporalities and huge risks. To think in terms of viapolitics is to ask how such routes are being inscribed in regimes of power/knowledge, how their truth is being elicited by various professionals of security, policing and care. A dispersed, global *maréchaussée* is taking shape around the problem of routes. It draws upon not just police and the good Samaritans of the anti-trafficking organizations but implicates functionaries such as captains, truck drivers and crews. And for equipment it is certainly not limited to the horse and the sword.

Second, via refers to the specific means of transportation and communication. Hence, I might say I travelled to Greece via train. Viapolitics draws our attention to the difference that material modes of transportation make to the organization of power relations and their affordances for political action. One of the fundamental insights of the mobility turn in the social sciences is that mobility is not something generic but rather denotes experiences and capacities that are differentiated and always mediated in the way that humans interact with technological systems (Urry, 2007). Viapolitics extends this insight in terms of what it means for our understanding of migration, power and political struggles. It means that we should approach the governance of migration in terms of the specific human-vehicle interactions and hybrids that it puts at stake. For example, Europe's experiment with European border surveillance system (EUROSUR), an emergent network of technologies

and authorities being cast over the Mediterranean border space, is not a matter of detecting undocumented migrants as such; what it targets are the vehicles they are now associated with.[3] More accurately, it has been designed in part to detect the motion of small boats that, because they are made of wood or rubber, manage to pass through the sieve of existing radars and surveillance practices (European Commission, 2011: 10). The irony of EUROSUR is that it envisages using some of the most advanced means of perception, such as drone systems, to counteract the repurposing by migration movements of some of the most ancient means of transportation. Viapolitics prompts us to consider how struggles for autonomous movement are mediated by specific human-vehicle hybrids.

Third, we should note that via also refers to the Latin word for road or way. Let us recall Foucault's reading of the *Narrenschiff* with which I began. The ship is much more than a 'means of extradition', a mechanism of transportation. It is also a symbolic practice involving allusions to the purifying power of water, the passage from the known to the unknown and deliverance to the infinite sea 'with its thousand roads'. I think the more general lesson to consider here is that the road and the journey, whether on land, sea or air, is a remarkably powerful and persistent motif in the cultural imagination of the West. As Lehari has argued, the road, the trip and the journey are 'archetypes' and 'mythogenic universals' (Lehari, 2000: 53). Think of the journey as we find it expressed in the Greek legends of Homer and Virgil; or the figures of *homo viator* – 'the wayfarer on this earth' – and *peregrinatio* we find in early Christian and medieval thought (Ladner, 1967: 250); or the narratives of quest and personal transformation associated with literary personae like Tom Joad and Sal Paradise as they make their westward journeys to the promised land of California – a 'journey' Foucault himself would make. There are admittedly some very significant differences in these narratives and figures. Nevertheless, there is clearly a rich stock of images and figures that cluster around the theme of the road.

I argue that the via in this third sense – understood as a complex and polyvalent field of signification linked to cultural memories and archetypes associated with the road, the vehicle and its travellers – is often at play within particular migration controversies and spectacles. But I also argue that there is degree of what Rancière calls 'literarity' – a 'wandering excess' in which the signifier (in Rancière's case, this is the written word) can sometimes 'disturb the existing circuits of words, meanings and places of enunciation' (Arsenjuk, 2007). The via is a contested symbolic field. Politicians and certain groups will often mobilize the spectacle of

a ship crowded with migrants entering 'our' waters to buttress demands for tougher controls, both to protect the nation but also to protect the 'vulnerable' migrants against ruthless smugglers and traffickers. But other memories and resonances are being mobilized by certain artists and activists who have also found in the ship, the aeroplane, the truck and their travellers an expressive medium to explore the ambiguities and dilemmas of migration and the potent symbolic resources to unsettle the standard narrative about borders, migrants and security. As such, a focus of viapolitics can also make a contribution to a critical politics of migration. Inasmuch as it might identify counter-images and counter-memories that challenge the politics of control, inasmuch as it might strengthen lines of affiliation and recognition with the traveller, then it can be a worthwhile intervention in debates about migration and justice.

The flight of the deported

To illustrate how a perspective of viapolitics might deepen our understanding of contemporary struggles over migration, but also bring a heightened sense of topological detail to studies of governmentality, I end this chapter with a brief reflection on deportation. For many years deportation was a rather marginal issue in the migration policy scene. However, in recent years it has become a very prominent practice of migration control and a highly symbolic assertion by states of their power over population and territory. A growing body of work has explored key legal, political and social dimensions of this deportation 'turn' (Anderson et al., 2011; De Genova and Peutz, 2010; Walters, 2002). But what would viapolitics bring to the study of deportation?

First, viapolitics prompts us to consider the journey of the deportee. Deportation is a complex phenomenon and is not reducible to a single journey. For the purposes of this brief reflection, I will focus on the passages by which state-authorized deportations are being effected. I will focus on the transportation of deportees from a particular state, the UK. While there is now a lot of scholarly literature analysing deportation, the actual transportation of deportees has been accorded relatively little investigation (Collyer, 2012; Fekete, 2011). While forcible transportation in the contexts of slavery, colonization, punishment and genocide has long been recognized as a topic that merits understanding in its own right (e.g., Gigliotti, 2009), less so, it should follow, does the transportation and traffic of deportees.

In 2010 the UK Border Agency reported that there were over 16,000 removals from the UK, mostly involving persons who had their claims or requests for asylum rejected or refused (House of Commons, 2012: 4). About one-quarter of these removals involved 'escorts' who accompanied the deportees, and in some cases they involved the use of force to control the deportees' movement. In the UK these escorts are private security personnel contracted by the UK Home Office. Until 2011 when it lost out to Reliance, the contract for escorting people on 'repatriation flights' was held by the global security corporation G4S.

Most forced removals from the UK are now conducted by air (Birnberg, Peirce and Partners 2008). Deportees are often put onto regular commercial flights, typically at the back of the plane away from the eyes of tourists and travellers. But in recent years the charter flight has emerged as an alternate modality for conveying deportees in larger numbers. The UK has used charter flights since 2001. From December 2012 to April 2013 there were 18 such charter flights from the UK removing nearly 1000 people. Destinations included Nigeria, Afghanistan, Sri Lanka and Pakistan.[4] Over the past decade EU member states have been operating joint deportation flights to African countries and to Afghanistan (Mau et al., 2012: 114). Frontex, the EU's border agency, has taken on management functions in this area.

The aeroplane is much more than just an instrument by which these removals are effected. While public information about these flights remains fragmented and uneven, a series of controversies in which deportees have been abused or died in airports or on planes has brought the attention of investigative journalists, human rights campaigns and solidarity actions (Birnberg, Peirce and Partners, 2008). By drawing public attention to the plane and its subjects, these actions have helped to give the deportation flight a more prominent place in the visual field of migration. If, as the strategic director of the UK Border Agency (UKBA) has put it, the deportation flight is a way to send a 'clear signal' to migrants and publics – that the government is determined to 'enforce' its migration policy (Palmer, 2009) – then we can note that these protests and inquiries into deportation flights complicate that signal, raising concerns that the flight has become a site of injustice and unaccountable power.

By making the deportation flight an issue before the public, these inquiries serve to make at least one thing quite clear. The microphysics of migration control that operates in the detention centres, borderzones and other regions does not dissipate at the cabin door. Quite the contrary, it intensifies and shadows the migrant on their long journey 'home'.

There is an economy of violence that operates in relation to these flights. It is not the economy of violence that characterizes the transportation of criminal prisoners, where specialized 'cellular vehicles', constant restraint and armed personnel are not exceptional but the norm. It is instead an economy that overlaps with the normal operations of civilian aviation. It includes cash incentives ('assisted return') whose aim is to win the compliance of a resigned subject (Collyer, 2012). But let us observe that the cash payment has as its counterpart and shadow certain devices and fetters descended from the manacle. This is an economy of violence that also has at its disposal a series of 'approved' restraints and operations of corporeal force, the limits of which it will not infrequently and not always accidentally overstep. This is an economy of violence that requires for its operation not just those technicians of force, the escorts but also doctors who assess the physical condition of the deportee and, more recently, monitors whose function is to bring an element of oversight to the conduct of forced removal. Sticks *and* carrots, force coupled with care. Hence, we should note that key elements of the humanitarian border (Walters, 2011) and key aspects of humanitarian confinement (Makaremi, 2009) are being reproduced in the cramped environment of the cabin. The maréchaussée and the good Samaritans have joined forces on the road to 'repatriation'.

None of this strategization would be necessary were deportation not contested at every stage of its execution and challenged across multiple sites and scales that range from the institutionalized asylum process to the tenacious grip which the escort places on the body of the deportee. Khosravi is right to emphasize that deportation is ultimately an act of 'corporal removal' (Khosravi, 2009: 52). But a better sense of this resistance, fuller and more topographically informed, will come if we briefly consider the second aspect of viapolitics, where via thematizes the specificity of the means of transportation.

Deportation is not a generic activity. The entanglement of deportation as a political and legal process with particular means of transportation shapes the terrain on which struggles will play themselves out. For example, note that the commercial flight is a highly disciplined milieu. Flight stewards might smile a lot, but behind the smile they exercise a watchful gaze over the cabin, insisting that each and all comply with the procedures of safety and order. Flying people at great speeds and great altitudes in a cramped cabin requires we all follow the rules. Buckle that belt! Raise your chair back for take off! For the activist or the conscientious citizen, this mobile governmentality of the plane becomes the Achilles heel of the operation. Things are configured in such a way that

a relatively small number of people can, if they apply the right kind of pressure, disrupt the flight. For example, in 2007 an Air France flight transporting a deportee from Paris to Bamako was forced to return to Charles-de-Gaulle airport when 17 passengers, acting with the group 'caravan for freedom of movement and fair development', left their seats in solidarity with the man and refused to sit down (Indymedia, UK 2011).

More generally, we should note that certain tactical knowledges circulate within activist communities and amongst migrants themselves about transportation and how it might contour the terrain of struggle. Recalling that *apodemics* was an early modern knowledge connected to the art of travelling and typically developed in the service of the sovereign, perhaps these tactical knowledges embody a kind of *counter-apodemics*. For example, in its 'campaigning toolkit' the National Coalition of Anti-Deportation Campaigns notes that while it is very difficult to interrupt a charter flight, there is more scope for 'last-minute campaigning' when the deportee is booked on a commercial flight (NCADC, 2012: 108). 'This is because the commercial airlines are more likely to respond if they think their business reputation is being damaged by being connected to deportations, and because of the pilot's legal power to refuse to carry a passenger if they think it would in any way put the flight at risk' (108). A leaflet from the solidarity network Kein Mensch ist Illegal draws attention to the legal specificities of aeroplane space. 'Due to international agreements, inside the aircraft police officers have no special authority. They may no longer use any of their powers. So save your energy to prevent your deportation once you are on the plane […]. At the airport in Germany, as soon as the doors of the aircraft are closed, under international law […] the pilot has the last word'.[5]

Charter flights are deemed harder to obstruct. The political logic of the charter flight is to distance and insulate as far as possible the coerced movement of the deportee from the presence of civilian passengers who might bear witness and intervene. If deportation by air can be likened to a human siphon, the charter flight is an attempt to engineer a flow that is less prone to obstruction. But even charter flights have proven vulnerable to contestation. For example, the airline XL.com – whose main business is cheap holidays – found itself the centre of a public controversy mobilized by anti-deportation campaign groups who exposed its involvement in the deportation of Congolese people from the UK to the Democratic Republic of Congo (Hintjens et al., 2011). Here activism mobilized a kind of brand pollution that threatened to tarnish the sunny image of this company by publicizing its involvement

in a different economy, one of forced movement. Eventually XL.com announced that it was ceasing to provide charter flights for the deportation industry.

Deportation escorts and other experts in the application of force upon vulnerable bodies know how to turn the body against itself: sometimes they apply force to the joints of the deportee's body (Fekete, 2011: 92). But commercial, logistical operations such as international air travel are not without their joints, their weak points, as well. What limited success activists and migrants have enjoyed in blocking or delaying specific deportations – whatever 'flight' they may have exercised – has come through exerting pressure on these joints.

Finally, what of *via* in the third sense? What of the road as a reservoir of cultural memories, the journey as a field of expressive forms? The commercial airlines and travel companies are more than purveyors of mere products. They are the merchants of a particular dream of mobility. With the possible exception of the big car companies, who has done more to foster affective connections between experiences of speed, movement, escape and cosmopolitan freedom than the airlines and their permanent advertising campaigns? If anti-deportation has achieved a certain force, however limited, is it not because, in addition to the kinds of tactical interventions just mentioned, it operates exactly on this semiotic-material milieu? In this case it achieves its impact through a combination of mimesis, ironic distance and immanent critique. When German activists mobilized a campaign around the theme of 'Deportation Class', they appropriated the brand iconography of the airlines. Even a van was repainted to mimic a Lufthansa vehicle and driven to public events. Deportation Class does not merely protest the unjust deprivation of freedom. It also makes this injustice tangible in the way that it is able to juxtapose the dream of freedom that is condensed in commercial air travel with the practice of forced removal to states of violence and unfreedom. Through its graphics, which depict the deportee sat amidst tourists and business people, it turns the notion of travel class (first, business, economy and now *deportation*) into a 'polemical scene' (Rancière) that highlights radical discrepancy in the right to movement.

That aircraft routinely carry tourists seeking sun, businesspeople seeking opportunity and deportees fearing for their lives, all together on the same flight, all journeying to the same destination but very different fates is surely something as strange and as frightening, in its own way, as the *Narrenschiff* that were perhaps once a familiar sight in Europe's harbours.

Conclusion

Viapolitics is much more than a mere extension of Foucauldian analytics of power to the scene of the road, the vehicle and the movements of population which they channel. The fact that the road and the journey occupy such an enduring if variable location in our cultural and political imagination makes viapolitics distinctive. But so too do particular socio-material features of the vehicle and its milieu. The fact that vehicles are often compressed spaces, aggregating humans at close quarters, while also stratifying them by class and status, makes them if not microcosms of society at large then certainly potential stages for what Rancière has called polemical scenes in which acts of protest and citizenship are articulated. Struggles against injustice are not strangers to the vehicle. Think of Rosa Parks on the bus in Montgomery, Alabama. Think of Gandhi who was expelled from the train in Pietermaritzburg, South Africa, for daring to travel first class. No doubt the vehicle and its route will persist as sites for struggles and acts of citizenship as long as the present regime of migration control continues.

Notes

1. I thank Mitchell Dean for suggesting this point to me.
2. We could say that for many people who move across global frontiers of poverty the journey becomes a straight line only thanks to an immense investment in forms. Dangerous journeys in boats are the most visible tip of a migration iceberg. What we do not see as publics are the millions who travel in relatively unexceptional circumstances. That said, this unexceptional travel – perhaps a single flight from Karachi to London – may be possible only after complex negotiations and acquisitions of papers involving perhaps legal and illegal means.
3. I am grateful to Charles Heller for clarifying this point.
4. Home Office data released under Freedom of Information request, posted by Phil Miller at http://stopdeportations.wordpress.com/2013/06/13/charter-flight-stats-q1–2013/
5. www.noborder.org/archive/www.deportation-class.com/…/info_En.pdf

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7

Securing the Social: Foucault and Social Networks

Tiziana Terranova

What do we talk about when we talk about social networks? Is it an actually existing social reality, a structuralist paradigm in the social sciences, or a series of web-based services with specific technical features? Or, as a Foucauldian perspective might have it, a new dispositif of power taking the social as its object and the network as its form?

One of the most common arguments to be found about the deployment of Foucault's work in thinking about social networks is that the latter constitutes a contemporary version of Bentham's Panopticon – a specific organization of visibility that Foucault described in his book on disciplinary societies (Foucault, 1993; Kampmark, 2007; Bucher, 2012). Commenting on the 'recent exposure of mass surveillance activity' by the US National Security Agency (NSA), however, William Davies reflects on how such revelations not only expose the ways in which 'social networks' have become the object of the state's gaze, but also seem to point to a larger phenomenon, what he calls the 'revenge of the social'. Davies reminds us that for a long time neoliberals have opposed ideas of society and the social but argues that recently this trend has reversed into an 'explosion of new types of accounting, governance and policy intervention which come dressed in the rhetoric of the social. Social enterprise, social media, social indicators, social impact bonds, social neuroscience' (Davies, 2013). Realizing that 'individuals are quite manifestly unable to operate as isolated, calculating machines, with only the law and the market to guide them', for Davies, neoliberalism has found a model of the social in social media that suits its epistemic commitments. Social media provide the techniques by which the social can be finally known:

> '"sentiment analysis" and various types of "social analytics" [...] make networks, relationships, communities and patterns visible, working

> with the logic of individual expression. These techniques can operate in real-time, revealing constant fluctuations in social activity, just as prices reveal constant fluctuations in economic activity. In these respects, this is a form of socialism that overcomes the critique of socialism mounted by neoliberalism'. (Davies, 2013)

One might also add that these techniques – referring as they do to a new accumulation of information known as 'Big Data' – also mark a kind of revenge of the social sciences over more speculative or critical sociologies, which now, as Rosi Braidotti has also remarked, find themselves under serious attack by apologists of a new 'post-theoretical turn'.

> In this context, 'theory' has lost status and is often dismissed as a form of fantasy or narcissistic self-indulgence [...] consequently, a shallow version of neo-empiricism – which is nothing more than data-mining – has become the methodological norm in Humanities research (Braidotti, 2013: 4).

Foucault's work, however, belongs to a different age, the 1960s and 1970s, an age where 'a great explosion of theoretical creativity' (Braidotti, 2013: 5) took theory out of the university and into society. In his courses at the Collège de France, Foucault opened up his work to a general audience of interested parties enacting a kind of public illustration of what he was doing (Foucault, 2003). This public accounting was wildly popular: 'The huge audience made up of students, teachers, researchers and the curious, including many who came from outside France, required two amphitheaters of the Collège de France' (Ewald and Fontana, 2010: xiii). In particular, Foucault dedicated two courses from the late seventies, *Security, Territory, Population* (1977–8) and *The Birth of Biopolitics* (1978–79), to analysing the emergence of biopolitics as a technology of power that supplemented and displaced the centrality of disciplinary mechanisms with a new type of mechanism of power: security. The two courses 'form a diptych unified by the problematic of bio-power that was first introduced in 1976' (Senellart in Foucault, 2009: 369), but biopower is seen as being made intelligible by an account of liberalism and neoliberalism as the two political rationalities that framed its emergence. Like all Foucault's courses, both *Security, Territory, Population* and *The Birth of Biopolitics* tend to change their focus as they reflect, much more than the more polished books, the meandering paths of analysis, the intensive work on sources and documents and the rigor of the genealogical and micropolitical method. In this chapter, I will try to

show how Foucault's analysis of liberalism and neoliberalism produces a peculiar reading of social networks, social network sites and social media which cannot simply be dismissed as a new panopticism. In particular, Foucault's description of the 'dispositifs of security' and his reconstruction of the relation between the market and society as 'correlates' of a technology of government appear as particularly relevant in framing an original understanding of social network sites and technologies.

Security, society and the market

Until the respective publications of *Security, Territory, Population* and *The Birth of Biopolitics* in the early 2000s, Foucault's influential account of biopolitics was based on the course of 1975–76 (*Society Must Be Defended*), the first volume of *The History of Sexuality* (*The Will to Knowledge*), and two lectures available in English such as 'Governmentality' and '"*Omnes et Singulatim*": Toward a Critique of Political Reason' (Foucault, 2003; 1978; 2001a; 2001b). On the one hand, then, we have the notion of a biopower which takes as its target the biological processes constituting the life of a new target of power (the population as a political subject) by differentiating between the lives that must be defended and those that can be exposed to death. On the other hand, Foucault identifies the establishment of a new art of government as 'the art of exercising power in the form and according to the model of the economy' (Foucault, 2001a: 207). *Security, Territory, Population* and *The Birth of Biopolitics* introduce further elements into the classical definition of biopolitics found in the final lectures of *Society Must Be Defended*, while developing the analysis of mechanisms of security.

One of the core theses formulated in the course on *Security, Territory, Population* is that in Western Europe, at some point during the eighteenth century, security supplements, transforms and displaces previous mechanisms of power (juridico-legal and disciplinary mechanisms). Legal or juridical mechanisms entail the operation of a code 'with a binary division between the permitted and the prohibited, and a coupling, comprising the code, between a type of prohibited action and a type of punishment'. The disciplinary mechanism, on the other hand, introduces 'a third personage, the culprit' who 'falls within the domain of surveillance, diagnosis and the possible transformation of individuals' (Foucault, 2009: 5). The third form is the apparatus of security which is concerned with 'series of possible events', 'calculation of cost', optimization around an average and 'a bandwidth of the acceptable that

must not be exceeded' (6). Foucault describes the series 'sovereignty-discipline-security' as entailing a kind of transformation of the figure of the sovereign: 'the territorial sovereign became an architect of the disciplined space, but also the regulator of a milieu which involved not so much establishing limits and frontiers, or fixing locations, as, above all and essentially, making possible, guaranteeing, and ensuring circulation: the circulation of people, merchandise, and air etc.' (29).

Foucault defines the 'apparatuses' or 'dispositifs' of security as spatial technologies of power that are mainly concerned with managing circulation. The problem of security, Foucault argues, is basically the problem of the series crossing the unbounded space of the commercial town after the suppression of the city walls: 'An indefinite series of mobile elements: [...] *x* number of carts, *x* number of passers-by, *x* number of thieves, *x* number of miasmas, and so on. An indefinite series of events [...]: so many boats will berth, so many carts will arrive and so on [...] An equally indefinite series of accumulating units: how many inhabitants, how many houses and so on' (20).

The problem of security is the problem of circulation which will be solved by trying to 'plan a milieu in terms of events or series of events or possible elements, of series that will have to be regulated within a multivalent and transformable framework' (20). Regulating such milieu implies 'making possible, guaranteeing and ensuring circulation' (29). Hence, mechanisms of security, being about the expansion and stabilization of circulation, have a constant tendency to expand according to a movement that Foucault describes as centrifugal. Constantly integrating new elements – '[p]roduction, psychology, behavior, the ways of doing things of producers, buyers, consumers, importers and exporters, and the world market' – security allows and organizes 'the development of ever-wider circuits' (45). In this sense, the topos of the network and especially the concrete computational network of networks that we call the Internet automates in a new informational milieu mechanisms of security which precede the invention of computing and the Internet. Expansive and centrifugal, it integrates more and more elements that both maximize circulation and minimize, without eliminating completely, error or loss (Terranova, 2004; Terranova, 2009). Digital social networks, however, graft onto this functionality of the network – its capacity to ensure an expansive circulation integrating more and more elements within its circuits– a new element: this new element is the social relation directly captured within the marketing and monetizing mechanisms of technology companies such as Google and Facebook. This direct integration of the social relation into a market-oriented economy by means

of mechanisms of security also represents a novel development which Foucault's courses help us to focus on within a longer genealogy of technologies of power.

Foucault's genealogical method leads him to conceive of the market and society as two 'correlates of power' or 'transactional realities' that belong to the intrinsic functioning of liberalism first and neoliberalism later albeit in different ways. Liberalism in fact operates by constituting economic processes, and specifically the market, as sites of truth or something that reveals the efficacy of the action of government. But, Foucault also remarks, it simultaneously constructs 'society' as the target of governmental action (Foucault, 2010: 30). The market as 'mechanism of exchange and site of veridiction' anchors liberalism as the new art of government emerging in Western Europe in the eighteenth century, after the Treaties of Westphalia (1648) had negotiated peace between warring European States at the price of colonial expansion in the rest of the world. The notion of society, on the other hand, will also emerge around the same time at first as 'civil society' and then as 'society' *tout court* to become in the nineteenth century the object of a new science (sociology). For Foucault, neither 'market' nor 'society' has an objective and universal existence, while at the same time these are not entirely dissolvable into empty constructions.

Foucault's method, in fact, as explicitly described at the beginning of the course of 1978/79, is decidedly anti-historicist and hence committed to doing away with the concept of universals but, interestingly enough, not with 'reality' altogether. From this perspective, neither the market nor society will be taken as objects which have always existed and which have gone through a series of transformations while maintaining a kind of core ontological reality. 'Civil society is not a primary and immediate reality', but it does not mean that 'it has no reality'. Both the market and society are what he defines as 'transactional realities' – that is, they have the reality of something which far from having always existed is somehow 'carved' out of reality by a series of 'trans-actions'. Market and society are constructed by liberalism and neoliberalism in ways that reflect the specific technologies and techniques of power that found the former as political rationalities and arts of government.

> Civil society is like madness and sexuality what I call transactional realities (*réalités de transaction*). That is to say, those transactional and transitional figures that we call civil society, madness, and so on, which, although they have not always existed are nonetheless real,

> are born precisely from the interplay of relations of power and everything which constantly eludes them, at the interface, so to speak, of governors and governed (Foucault, 2010: 297).

Foucault dedicates much time in the two courses to the consolidation and transformations affecting the market as a correlate of a new style of government, but it is also remarkable how such analysis keeps returning at different points also to the emergence of society as a correlate of power (Foucault, 2009: 350). The centrality of the market to the formation of the (neo)liberal arts of government is covered by Foucault again and again, and in a sense it culminates in the assertion, put forward in *The Birth of Biopolitics*: the neoliberal market as 'formal structure of competition' is remarkably different from the liberal model of the market as 'site of exchange' (2010: 118–22, 131–2). Liberalism opposes the unlimited powers of the administrative or police state by arguing for the relative autonomy of economic and social processes as they are defined in those years by political economists. Foucault analyses the emergence of liberalism as a critique of the state of police which points out to the sovereign a kind of reality which exceeds his power: economic processes and events (the 'event' of scarcity or famine, for example), but also the 'naturalness' which is specific to 'relations between men, to what happens spontaneously when they cohabit, come together, exchange, work and produce', a naturalness that did not exist until then which will be called 'civil society' (2009: 349–50). In the second half of the eighteenth century in British and especially Scottish empiricism, civil society emerges as the 'necessary correlate of the state' which the state is responsible for and which it must see to manage:

> *Homo oeconomicus* and civil society are [...] two inseparable elements. *Homo oeconomicus* is, if you like the abstract, ideal, purely economic point that inhabits the dense, full, and complex reality of civil society. Or alternatively, civil society is the concrete ensemble within which these ideal points, economic men, must be placed so that they can be appropriately managed. So *homo oeconomicus* and civil society belong to the same ensemble of the technology of liberal governmentality (Foucault, 2010: 296)

There is, then, a strange entanglement between the economy and society at the heart of liberalism from Foucault's perspective. On the one hand, society sustains and supports economic exchange and competition; on the other, it maintains its own specificity with relation to it.

If the market is the space where the actions of individuals governed by self-interest somehow produce the general interest (the right price and the wealth of nations), civil society in Adam Ferguson's classic text *Essay on the History of Civil Society* (1767) is 'the political correlate, the correlate in terms of civil society, of what Adam Smith studies in purely economic terms. Ferguson's civil society is actually the concrete, encompassing element within which the economic men Smith tried to study operate' (Foucault, 2010: 298).

At the end of *The Birth of Biopolitics*, Foucault returns to early liberal political theorists, and especially to Ferguson's text, avoiding the more canonical writings of Rousseau, Kant and Hegel on the subject. On this basis, Foucault describes civil society as entailing four essential characteristics: 'first, civil society understood as an historical-natural constant; second, civil society as principle of spontaneous synthesis; third, civil society as permanent matrix of political power; and fourth, civil society as the motor element of history' (Foucault, 2010: 298). The first two characteristics seem particularly important in understanding the relation between society and the market, the specificity of the former with relation to the latter and the role that will be assigned to it within the broader liberal art of government. Civil society is defined by Ferguson, first of all, as an 'historical-natural constant', in as much as it is 'a given beyond which there is nothing to be found' (298). In Ferguson's text there is no need to explain the birth of society; humans have never existed in scattered isolation as Hobbes would have it, and 'society is as old as the individual' because 'the social bond develops spontaneously [...]. [It] has no pre-history' (298–9). Secondly, 'civil society assures the spontaneous synthesis of individuals: [...] there is no explicit contract, no voluntary union, no renunciation of rights and no delegation of natural rights to someone else; in short there is no constitution of sovereignty by a sort of pact of subjection' (300).

Foucault is particularly keen to emphasize how in liberal societies 'civil society supports and sustains economic processes and the economic bonds, while overflowing them and being irreducible to them' (301). A peculiar relation is thus established between social and economic subjects. On the one hand, civil society sustains and supports economic exchange, but it is much more than the association of different economic subjects. In civil society individuals are not linked by a shared interest in 'maximum profit from exchange' but by a new series of interests: '"disinterested interests" [...] instinct, sentiment, and sympathy [...] the impulses of benevolence individuals feel for each other, but [...] also the loathing of others, repugnance for the misfortune of individuals, but

possibly the pleasures taken in the misfortune of others with whom one will break' (301). Bonds of sympathy in civil society are the correlates of contrary bonds of repugnance; hence, civil society, unlike the market which refers to a global space, refers to a limited ensemble, to a particular ensemble among others and does not coincide with humanity in general: 'it is not humanitarian, but communitarian' (302). In Ferguson's text, then, we find a model of society which does not refer to the Hegelian synthesis or to a structure exercising a large and stable, albeit invisible, constraint on individual actions but almost the explication of the logic of the *socius* in the Latin sense of the word: a companion and associate (from the Sanskrit root *sak*, s/he who follows, who accompanies another, a friend). On the other hand, the fact that civil society is the site of disinterested and partial interests somehow moderates the reach of the cold mechanisms of the market by promoting warm values of belonging. Civil society is thus a 'spontaneous synthesis within which the economic bonds finds its place but which this same economic bond continually threatens' (303).

It is remarkable how Foucault returns to the problem of society in eighteenth century liberal thinkers such as Ferguson after his long analysis of neoliberalism in the twentieth century. In *The Birth of Biopolitics*, Foucault is eager to argue against most analyses of neoliberalism that tended to conclude that the latter was basically nothing new, although it was certainly something worse. Foucault argued that neoliberalism entailed its own special features which distinguished it from early liberalism as a question not only of degree but of kind. Neoliberalism is understood by Foucault as a crucial mutation of the liberal art of government shaped by the critique of the Nazi State (as in Austrian and German ordoliberalism) and of socialist planning (in the North American inflection). This shift will entail a reversal of the liberal style of government in as much as the market will no longer simply constitute a limit to government action, henceforth also becoming something that somehow government must limit. With Austrian ordoliberalism and US neoliberalism, we find a 'state under surveillance from the market' – a process which today has led the German Prime Minister to talk about 'a market-conforming democracy'.

Foucault's return to the notion of civil society comes at the end of a long analysis of two forms of neoliberalism: European and North American. North American neoliberalism is discussed through Gary Becker's theory of human capital, and on this basis it is defined as the extension of the economic logic of the enterprise to all domains of the social, an extension that seems to do away with all balancing powers

attributed to society with relation to the market in liberal thinkers. This is a form of government where the market is no longer merely the limit to the action of government but becomes the core of its internal regulation. In European neoliberalism, government, he suggests, is explicitly prohibited from intervening in economic processes through the instrument of planning, but government will take as its object society as such with the purpose of inducing and disseminating within it the form of the enterprise. For Foucault, in fact, neoliberal governments do not intervene in the market as such (but for preparing the conditions for its emergence) but operate on society 'in its fabric and depth [...] so that [...] its objective will become possible, a general regulation of society by the market' (2010: 145). In American neoliberalism 'the economy is basically a game between partners [...] the whole of society must be permeated by this economic game, and [...] the essential role of the state is to define the economic rules of this game and to make sure that they are applied' (201). This game implies 'extending the economic model of supply and demand and investment-costs-profit so as to make it a model of social relations and of existence itself' (241). This line of reasoning, which one finds in Foucault, would thus vindicate another Foucauldian interpretation of social networks: not so much a contemporary Panopticon but the *extension* of the economic logic of the enterprise of the social understood as a fabric of relations between *networked and entrepreneurial selves*. Over the pages that follow, I will try to show how social networks express a model of society which on the one hand complies, in Foucault's term, with the fabric of 'disinterested interests' and 'partial affinities', with the patterns of 'empathy and repugnance' of liberal civil society, while on the other also subjecting it to the operation of mechanisms of security or, in Deleuze's terms, control (Deleuze, 1995). Social network sites or digital social networks can be seen through such lenses as technologies that 'secure' or 'control' the social, that is, manage economically the complex interplay of 'empathy and repugnance' described by Ferguson. Such a perspective complicates the idea that digital social networks represent an extension of the economy into the social or, to use a Marxist term, the real subsumption of the social under the capitalist mode of production (Negri, 2004), while also, on the other hand, showing some of the limits of Foucault's genealogical approach to neoliberalism.

Securing the social-as-network

Emerging out of the crisis of the early digital economy after the dot.com crash of 2001, social network sites or digital social networks come at first

in the form of an innovation that updates the form of the early Web in such a way as to rescue and recompose its business ecology. The Web 1.0 refers to the introduction by Tim Berners-Lee of the hyperlink protocol as a new layer of the Internet connecting a new digital object: the webpage or website. The Web 2.0, as defined in 2005 by publisher and entrepreneur Tim O'Reilly, is not explicitly about social networks but about increasing participation of users as content-providers to be harnessed by a new generation of web-based commercial services (O'Reilly, 2005). Out of the rather magmatic list of sites mentioned by O'Reilly in 2005, social network sites such as Facebook, Twitter, Google+, Instagram and LinkedIn emerge in the late 2000s as central components of a new area of exponential growth for the Internet economy, delivering millions of users to a new kind of digital experience of connection and sharing. However, not only are social network sites a specific and bound part of the Internet, but they also imply, as we will see, a re-making of the Internet that spreads to the larger Web and beyond.

Social network sites, and in particular the 'big head' of social networking on the Internet (that is, Facebook) deploy and extend a specific model of society which exceeds, while it also includes, sociological techniques of statistics. The foundation of Facebook's operation, for example, and the basis for its expansion throughout the Web to the new domain of mobile apps, is in fact the Open Graph protocol, a technology which explicitly refers to the socio-mathematical techniques of graph theory and hence the related domain of social network analysis. Graph Theory 'analyzes the formal properties of graphs, which are systems of points and lines between pairs of points' (Scott and Harrington, 2011: 4) or it can also be described as 'a mathematical model for any system involving a binary relation' (quoted in Rieder, 2012). Graph theory provides the underlying image of the social-as-network enacted by Facebook through a topology of edges and vertices (points and lines). The node and edge topology is, of course, at the core of Paul Baran's and William Davies' early proposals for a packet switching network, but it is only with the introduction of the Web protocol that graph-based visualizations of the Internet gained new centrality in digital media theory to the point that, as Alex Galloway argues, 'only one visualization has ever been made of an information network, for there can be only one' (Galloway, 2011: 90). This image imitates that of the Internet at large but deploys itself specifically within the milieu of social relations; that is, it starts from the social relation of 'friending' (the *socius* or associate or follower in Latin) as basic unit out of which the network is formed.

More specifically, Open Graph is a protocol developed by Facebook and introduced in 2009 with the purpose of developing the web service beyond the possibility of browsing lists of friends' profiles towards a more media-based experience of a flow of personalized information or 'feed'(Willis, 2010). In doing so, however, Facebook also pushed the company's reach well beyond the limits of its huge website. Open Graph can be considered as an extension of semantic web technologies and operates at the 'backend' of social networking sites, mostly invisible to users but for its effects. As a protocol, it can be said to represent a kind of privatized supplement to the Domain Name System that defines the Internet as universal space of addressability. Objects in the Open Graph database can include a profile, status updates, photographs, videos, comments but also crucially the 'likes' of users. These objects can be endlessly modelled in such a way as to turn 'profiles' into 'nodes', grouping profiles in groups that come to be seen as nodes or even extending the node/edge relation to an expanding series of elements. Open Graph in fact allocates a new ID (or identifier) to every 'object' and 'action' of its database participating into the larger process of turning the link itself, as Anne Helmond has remarked, into 'an automated analytical device' (Helmond, 2013). The Open Graph then contributes to a potentially infinite expansion in the number of networked objects plunging into 'the abyssal scope of deeply granular universal addressability' feeding into the emergent '"internet of haecceities" which would include objects, but also concepts and memes, addressable at the same level, but at multiple scales, through the same system' (Bratton, 2012). Such deep addressability and such potentially infinite expansion of digital, networked objects produce what Luciana Parisi has called 'infinite volumes of data' and 'entropic bursts of randomness', pointing to the fact that 'there can never be any totality that could subsume (external or internal) parts into one encompassing whole' (Parisi, 2013: xiv).

The social button 'like', in particular, represents the corporation's most valuable asset, but what is crucial is that it is a function that creates a new relation between a social networking site such as Facebook and the Web at large. When a website owner agrees to insert a 'like' button on their web page, in fact, it is also creating a new object in Facebook's Open Graph, establishing a relation between the object 'profile' of the user and the new 'object' qualified through semantic metadata (a movie, a song, dogs, cats, shoes, cars, etc.). Through the establishment of a new interface, the Application Programming Interface (API), website owners

and software developers can query Facebook's database to acquire more specific information about traffic to their website and behaviours and characteristics of users, but developers can also develop applications that introduce new 'objects' and 'actions' in the database. Open Graph uses a mix of techniques to organize and produce valuable information out of this swelling mass of data, drawn from semantic analysis, statistics, graph theory and network analysis (Kaldrack and Röhle, forthcoming). The results are fed back into the Web at large, contributing together with Google, Amazon and others to the transformation of most of the Web into a marketing and shopping outlet.

As Bernard Rieder has pointed out, the models and analytics employed by social media software can be located within a genealogy of biopolitical techniques of knowledge. As he puts it, '[t]he intellectual genealogy of the models and methods in question can be traced back to the 1930s and to an important *trading zone* between mathematics and the social sciences that is largely unrelated to the well-documented history of a similar space of conceptual analysis, that of statistics'. Indeed, as Rieder argues, 'modern graph theory developed, perhaps even more so than statistics, in close contact with the social sciences' (Rieder, 2012). It was not adopted by social scientists as a 'ready-made tool', but it developed in direct relation to the 'problem space' identified by the social sciences and particularly by social psychology.

Social network analysis, then, emerges as a kind of 'counter-programme in sociology' which addresses specifically one of the blind spots associated with the use of statistics in sociology (Kaldrack and Röhle, forthcoming). Sociologists such as Georg Simmel and Gabriel Tarde, in fact, had moved to the sociological use of statistics a critique-which was also shared by neoliberal authors such as Hayek and Von Mises. Sociologists' society was just an aggregate which was visible to only those who collected and interpreted the data and did not really account for the micro dynamics out of which social structures emerged. The founding text of social network analysis is thus Moreno's *Who Shall Survive*, a text from the 1930s whose title already echoes the biopolitical inflection of social network research. Its scientific aim was to identify the 'psychological structure of society [...] as displayed and analysed as sociogram [...] normally arranged as a "point and line" diagram' (Rieder, 2012). The book was thus presented as '*the mathematical study of the psychological properties of populations*' and it included chapters on sexual, racial and social currents and 'proofs that networks existed with their own "functions" and techniques for determining them' (Moreno, 1978: 441). Based on the notion that

society was a network of binary relations structured by relations of sympathy and antipathy, Moreno's new technique of sociometry asked its experimental subject to identify those they felt like 'friends' with or in any case 'liked' or had any similar relation with. Network analysis formalizes Moreno's sociogram, turning the former's theorems into 'the basis for analyzing the formal properties of sociograms' (Scott and Harrington, 2011: 4).

Moreno's effort to produce a new knowledge of society which could help to harmonize social relationships minimizing antagonism and maximizing consensus, however, was not based on solid mathematical footing, and this will cause, according to Rieder, the marginalization of the sociometric paradigm for almost twenty years. When taken up again in the 1950s by mathematicians who introduced matrix algebra as a method of calculation, social network analysis is then given a new mathematical foundation, but not one necessarily oriented towards graph theory. Yet, social network analysis continues from the 1930s onwards, to produce sociograms or visualizations of networks of relations affecting groups as different as corporate bankers, factory workers, schoolchildren, ethnic communities, etc. Thanks to Stanley Milgram and Mark Granovetter, in particular, social network analysis will break free from the hold of small group psychology to map the structural configuration of society as something that emerges out of relationships between *socii* – bonds created through interaction, producing relationships of affinity and similarity, of identification and convergence. Both graph theory and social network analysis came to the fore at the turn of the millennium, mostly thanks to the popularity of books authored by physicists and mathematicians, such as Duncan J. Watts and Albert-László Barabási (Watts, 1999; Barabási, 2003). Being the work of natural scientists and mathematicians, these studies introduce the possibility of individuating macro-laws which determine the evolution of patterns of connection on the World Wide Web, while also blatantly ignoring the pre-existing work of social scientists in the field. As the scientific community of social scientists practising social network analysis admits, however, the contribution of physicists to the study of social networks has played the important role of 'moving social network analysis beyond generally static and cross-sectional methods' towards an 'exploration of network process and processual transformations in network structures' (Scott and Harrington, 2011: 3).

Social network analysis and graph theory, as the abstract or ideal model of society adopted and implemented by social network sites, seem to correspond to the extension of mechanisms of security to the

fabric of social relations as such – securing 'social life' by targeting the 'psychological properties' of population. They do that by re-actualizing the liberal form of civil society as a series of 'ensembles at the same or different levels which bring individuals together in a number of units' (Foucault, 2010: 302), while at the same time producing society as:

> an optimization of systems of difference, in which the field is left open to fluctuating processes, in which minority individuals and practices are tolerated, in which action is brought to bear on the rules of the game rather than on the players, and finally in which there is an environmental type of intervention instead of the internal subjugation of individuals (Foucault, 2010: 259–60).

It is in this sense that social network sites can be said to 'secure the social' – maximizing circulation, minimizing error or loss and ensuring an overall expansive stability, an indefinite homeostasis able to withstand and re-absorb the uncertain and aleatory event of social subjectivation.

Conclusions

Deploying Foucault's genealogy of biopolitics, as developed in the two courses quoted above, is both rewarding and frustrating. The rewards lie in the clarity with which social network sites can be seen to emerge out of a longer history of biopolitical techniques, framed within the larger political rationality of liberalism and neoliberalism, as a new and specific application of mechanisms of security to the social as fabric of asymmetrical and processual relations of mutual affection. Securing the social in this context means to 'stabilize it' in ways that are appropriate to post-national societies, criss-crossed by flows of information (or series of communicative events) which exceed and absorb the capture of opinion and the cultural hegemony of older media such as television, cinema and the press. This is accomplished by recomposing the correlation between the market and civil society across new lines, where the latter exceeds but also anchors, supports and feeds the reach of the market economy.

The frustration lies also in how, as Jeremy Gilbert has argued, such a reading tends to conflate 'the network logic manifested by social media' with the 'ideological imperatives' (or intrinsic rationality) of neoliberalism (Gilbert, 2013), but specifically also because of the ways in which such reading seems to foreclose all possibilities for alternative

deployment of social network technologies which can point to a post-neoliberal and also 'post-capitalist' society. The egalitarian social logic which Gilbert sees as also inhabiting social network sites or the powers of social cooperation that post-workerist authors have identified as the engine of process of economic valorization in social media do not seem to belong to the horizon of intelligibility produced by Foucault's analysis (Hardt and Negri, 2011). Enamoured with power, as he himself admitted, in the two courses, Foucault produces a grid of intelligibility that accurately diagrammed the rationality of contemporary forms of power without leaving much of a way out. Is it by chance that after these two courses which pushed him to the limit of contemporary society and beyond, Foucault felt the need to turn back in time to the Ancient Greeks and to deprioritize the problem of power by turning to the relation between subject and truth?

Those who want to struggle, whom Foucault explicitly addressed in his lectures, are faced today with a difficult problem: is it possible to reverse the 'social network' as an image and technology able to found an alternative configuration of the economy and social relations such as in the P2P movements or the movements for the common? Does this constitute a re-actualization of what Foucault called the 'revolutionary eschatology' of early European modernity? Is it still possible to oppose the notion that there has always been a market; there has always been a society which supports it; and there will always be a government which regulates them – and to oppose the idea that a day will come when such 'indefinite governmentality will be brought to an end and halted' (Foucault, 2009: 356)? If for the revolutionary eschatology of the eighteenth century, this will be accomplished by the 'emergence of something that will be society itself [...] in which civil society will prevail over the state', is it possible today to see in contemporary social networks something that not only supports the 'market-conforming government' but also allows for the invention of that socialist art of government that Foucault denounced as missing (2010: 94)?

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Part III
Troubling Subjectivities

8

Human Pastorate and 'La Vie Bête'

Alain Brossat

The starting point for this chapter is my astonishment concerning Foucault's analysis of what he terms pastoral power (Foucault, 2001; Foucault, 2007). Defining this as a 'major' form of power, Foucault, up to the point when he tackles specifically the question of Christian pastorate, always analyses the pastoral exclusively in terms of the pastor. It is a question of his action and the motives and principles that guide this action. The pastoral is defined from the point of view of the 'ethics' in which this exercise of power is rooted and also from the point of view of the pastor's subjectivity or of the modes of subjectivation which are typical for the kind of power he makes use of. Foucault *never* takes the pastorate into account from the point of view of the herd, of the flock itself. The herd, the sheep, are constantly and exclusively considered as the sheer object of pastoral conduct, that is, of the pastor's care. This means that the animal image acquires a fairly literal sense here. The herd does not speak; the flock (considered as an entity to be led) lacks any ability to 'interact' with the designs and actions of the pastor; and this for the simple and good reason that its condition is purely animal. It continues to be defined by its animality or animal nature. Everything happens as if, in the original form of pastoral power, the humans are ruled (or rather, led), *as if they were animals* [*à l'égal d'animaux*], since no form of subjectivity, no kind of access to language and no ability to adopt counter-behaviours [*contre-conduites*] manifests itself from the side of the 'herd'. One might even wonder if, for Foucault, it would be appropriate in this context to allude to relations between rulers and 'ruled' (people). The flock is led more than it is ruled. For Foucault, the relation between rulers and 'ruled' involves the presupposition of some form of interaction and something like a circulation of the discharge of power which consists in trying to 'let do/make something happen'

['*faire faire*']. In other words, actions and behaviours by those in 'power' are responded to by the development of counter-behaviours, resistances, talks and actions, which represent the reverse angle shot on power belonging to the 'ruled'.

There is nothing of that here. It is useful to recall briefly the description of pastoral power by Foucault in terms of both its basis and principles. At origin, the pastorate is a relationship between God and the humans. It constitutes an ancient structure found among the Assyrians, the Egyptians and the Hebrews rather than the Greeks. In these civilizations, according to Foucault's reading, God's relation to his people is (defined as) similar to the relation a pastor has to his herd (Foucault, 2001: 956). Via a process of transposition, this pastoral structure of the relationship between God and humans becomes a model of power for the relationship between a shepherd as guide and the humans as a people or population He is guiding.

Foucault insists on the common traits of this form of power: it is neither repressive nor authoritarian: the shepherd does not reign, as a Greek king does, over a city or a territory. He leads; he guides the human herd; he keeps a watchful eye over it; he takes care that it does not get lost or perish. The pastoral is thus a form of power that aims at care: the shepherd does not reign over the herd 'for himself' but, on the contrary, cares exclusively 'for the others', taking them into consideration not only as a whole, but also as individuals, but also as individuals each requiring care. All of his care is devoted to the herd, but, according to the well-known parable in Exodus 10:11, the shepherd also has to make sure that *none* of the sheep composing the herd gets lost or sick, to the extent that he would have to abandon the herd for a time in order to track down a single lost sheep.

The work Foucault dedicates to this original form of the pastorate aims at describing what might be termed the shepherd's office. The herd does not even exist by itself: it 'exists through the immediate presence and the direct action of the shepherd' (Foucault, 2001: 957). In 'Omnes et Singulatim', as well as in *Security, Territory, Population*, all the descriptions made by Foucault of this form of power in its original form are exclusively centred on the figure of the pastor. At stake here is the way in which he gathers (together), directs the herd, takes care of their safety and well-being, and treats them in a well-balanced and personally benevolent way. It is for these very reasons that he is qualified as knowing the herd both *as a whole* and *in detail*. Foucault also insists on the newness of this form (of power): 'The societies which have appeared at the end of Ancient times on the Western side of the

European continent have invented a great number of different political forms. [...] But only they have developed a strange technology of power, treating the huge majority of the humans as a herd, with a handful of pastors' (Foucault, 2001: 958).

Thus, it is worth noting two sources of astonishment in my reading of Foucault here.

First, in both texts, and to some extent in opposition to common sense, Foucault stresses the specificity of pastoral power – its 'individualizing' [*individualisant*] character – a power which is *individually benevolent*, a power which treats each individual benevolently. All the more surprising then is the complete lack of any consideration for what the 'individual sheep' might be or, indeed, is in terms of singular individuals. How is the 'care', the benevolence and the 'devotion' mentioned by Foucault manifested if there is no exchange or interaction occurring between the shepherd and each individual being cared for? How can such a relationship be established between, let's say, the lost sheep, the ill sheep and the intractable sheep, if they remain short of language? Is the individualizing 'game' of the pastor limited to the simple task of identifying which sheep have 'a problem' based on physical characteristics or their erratic course? How does the pastor begin to take responsibility for this problem if there is nothing to the order of a personal relationship established between himself and such 'sheep'? In this respect, Foucault's text appears to offer us no clues here.

My second cause for astonishment concerns the biblical reference. One simply has to open the Old Testament, frequently referred to by Foucault in these texts, in order to notice that the human 'herd' there does, in fact, constitute a real 'presence', demonstrating the ability to manifest itself, defining itself as more than the pure and simple object of a pastor's care. Indeed, in referring to a book such as Exodus one will notice that this text deals first and foremost with the way that a vertical relation is established between the Hebrews, as a people, and their God, with Moses being ascribed to the hazardous and imposing role of go-between and representative of God's power ('the Eternal') by his people. So, the 'pastoral structure' mentioned by Foucault can be easily detected in this text. The Hebraic God (actually) conducts his human herd through the desert; he is (actually) a real presence, addressing himself to his flock; he guides, he shows, he reassures and he exhorts. But, contrary to what is suggested in Foucault's analysis, the flock is also a *people*: it reveals, for better or the worse, a collective mood; it makes its very own moves which often contravene the injunctions of God, as delivered to them by Moses. These are people who often speak in order to express their sense

of discouragement, anger, impatience, frustrations, people who question the 'instructions' delivered by Moses, people who doubt, who err, who go astray all along this initiatory path, the flight from Egypt. Here, one only needs to look at the episode of the Golden Calf. (Exodus, 31:32)

So, it appears here that the pastoral form, in its original form, is not at all incompatible with the presence of a herd that can be defined not only as a collective, *living* group but as an *articulate* one too – that is, as possessing their own unique subjective capacities. As long as they are slaves of Pharaoh, the Hebrews remain a group living in darkness. Yet prior to sealing their alliance with God, an alliance that will grant subsequent access to their very own spirit and genius, prior to arriving at this point, their condition cannot be reduced to some kind of mute and stupid animality. Here, we have a people who are mistreated and often lost but these are a human people, nevertheless. And their existence as such cannot be reduced to what Moses' mission assigns to them: to become God's only people/to become God's chosen people [*le Peuple de Dieu*].

In 'Omnes et Singulatim', Foucault's argument is bolstered by a detailed analysis of Plato's dialogue, *The Statesman,* in order to show that the pastoral form of power is essentially alien to the way of thinking of the Ancient Greeks. Foucault reminds us that in this dialogue Plato pays particular attention to the model of the statesman as weaver and not as shepherd. He thus reminds us how Plato argues that one cannot give a satisfactory definition of the form of power exerted within the *polis* by opposing the conduct of animals to that of humans, by taking the species (the kinds of living) that require leadership as a criterion. For Plato, as Foucault insists, it is by analysing *what the shepherd does*, and not by examining which kind of living species composes the herd or is supposed to compose it, that one is able to decide whether or not the king constitutes some kind of a pastor. The emphasis placed on this point sheds some light on the 'miss/lack/absence/omission' of the question of subjective existence and the 'moods' of the herd, human or animal, by Foucault. This distinction appears to be meaningless since the analysis of the pastoral figure in its original form is completely focused upon the role of the shepherd, presented as if this form of power were exerted in an entirely asymmetrical way, establishing a one-sided relation between a subject and (living) object.

Clearly, this figure appears to be some kind of exception or derogation to the general conditions of the analytics of power that is usually presented by Foucault, as exemplified in *The Will to Knowledge*. Here, Foucault emphasizes the freedom of the 'ruled' and their ability to catch

power at its own game by producing different forms of counter-powers. Yet in the texts that constitute the focus of this chapter, no answer is given to this issue.

In *The Statesman*, pastoral power is defined, Foucault reminds us, as a form of power that consists in a total, a full taking charge of the care of the herd by the shepherd. He cares for its subsistence, its health, its breeding and even its recreation. This seems to constitute a kind of *total biopolitics* before its emergence. Nevertheless, Plato insists, as is well-known, that in the Greek *polis* all these functions are not entrusted to one man only (regardless of appellation – statesman, king, leader, and so on) but to various subjects – the physician, the baker, the farmer, the musician, etc. The task of the statesman [*l'homme politique*] which differs from that of the pastor, is not to take charge of all these 'maintenance' tasks but to bring together different characters and constitutions in order to compile the living 'into a *community* based on concord and friendship'. It is from this statement that the image of weaving cloth made from different materials is derived. Neither God nor shepherd, the statesman is entrusted with the task to secure the *unity of the polis*, a task, one might add, that is already enough trouble for him [*qui suffit à sa peine*] (311a; 311b).

But the interesting thing here is that, for Foucault, a 'total and full' pastorate, that is, the practice of power based on the global and multipolar care for all dimensions of the herd's life, does not seem to require more than the superior skill of a wise shepherd – something like a God, he says; and this forecloses the form of the City since the latter is peopled and led by humans exclusively. Even when he takes into consideration (before subsequently rejecting) the hypothesis that the pastorate would have been transplanted from Eastern topographies to European ones and to the political space *par excellence* – the *polis* – Foucault never poses the question of the subjective condition of the herd. But how does one begin to imagine such a multilateral government of the human herd if this herd is simply considered as mute animal, no matter how well or ill it is treated?

So, in Foucault's analysis, everything happens as if the mute herd, deprived of all subjectivity, were considered not exactly as 'bare life' but as 'vie bête' or 'stupid life' and were destined to be transfigured in quality, to undergo complete transformation through some kind of *coup de théâtre*: a turn of events which are difficult to account for and that, in my opinion, occur with the capture of the great pastoral form by Christianity and its reorganization within it. In Foucault's analysis, everything happens, as if a subjectivity, an access to language, were

granted to the herd, with these becoming its attributes once the magic of the Christian pastoral [*la pastorale*] had transfigured this form of power coming from time immemorial, from remote Eastern civilization.

The paradox of this metamorphosis is unquestionable. If we read Foucault carefully, we notice that the sheep finds access to speech, becoming a subject by the very condition of being involved in a 'relation based on total and individual dependence', where a 'link of personal submission' is constituted between itself and its spiritual guide (Foucault, 2001: 964) Moreover, the forms of individualization set up by the Christian pastorate imply that the shepherd (the priest) not only guides and supervises exterior forms of behaviour but intrudes on the space of subjectivities – he must know what happens in the soul of each member of the herd. Surely, this can be established only on the condition that the subjectivities are taken into account (desire, feelings, moods, thoughts, etc.) and that narratives emanate from and are proffered by the 'ruled' subjects.

The pivotal point of this shift can be located in the dual technique installed by the Christian Church of soul searching and soul supervision [*direction de conscience*] and also its entry point, confession. Confession is located at the centre of a general device of subjectivation, of a 'let speak' device [*un dispositif de prise de parole*] which implies that the herd is now emerging as a fully-fledged actor in the great performance of power. With this unique device, unprecedented in the history of human civilizations, at once imposing and terrifying, the herd not only gains access to discourse and various forms of subjectivation, but, also Foucault suggests, enters a 'game' that transforms it into the second pole of the machinery of power, by now firmly established in its own right [*à part entière*]. '[A] strange game, whose elements are life, death, truth, obedience, individuals, identity' (Foucault, 2001: 966, my translation). A strange combination thus emerges, a combination of the basic requirements of the pastorate (the herd has to be *led*, it is intended, by nature, for it to be led, it has to obey and be docile) on the one hand and, on the other, the singular dynamics that are at work within the Christian pastorate (the building up, in the relation between the one who leads and the other who is led, of conditions both of interaction and reflexivity).

A 'grey zone' thus appears between what tends to drive back the sheep to the original and structural conditions of the pastorate (the bluntly asymmetric character of the relation between a divine or human guide and a 'guided' entity – whether human or animal) and the access of the herd to a form of reflexivity, notably moral, that enables it to enact all

kinds of gestures of resistance, if not escape moves out of the circle of the pastorate.

Foucault's claim here is that this element of *indiscernibility* between these two poles actually represents the specificity of what he calls 'modern powers' in the West. This indiscernibility brings these forms of power to manifest themselves both in the guise of monstrous undertakings that push the herd into the abyss of all kinds of mass destruction and disaster and in the form of the promotion of a subject which, having access to this condition of reflexivity or self-awareness has the capacity to escape from its immemorial heteronomy. At this point there emerges, of course, the possibility of counter-behaviours, acts of resistance, insurrection, and so on.

Indeed, it is precisely this uncertainty or indetermination that constitutes the defining characteristic of contemporary biopolitics. Contemporary biopolitics appears in close proximity to the model that Plato turns down in *The Statesman* in favour of that of the royal weaver, since the biopolitical actually consists in taking care of absolutely all aspects of the life or lives of the human herd via the figure of the pastor with a thousand faces, acting in a coordinated way (a kind of demiurge within society and state). Obviously, in present-day society, taking charge of life is the business not so much of various specialized bodies, each acting without regard for others but rather of a general mechanism which is at once fully integrated and differentiated. And, as Foucault makes clear in *The Will to Knowledge*, it is this form of *biopolitics* or *biopower* which has simultaneously stripped back [*refoulé*] and over-determined [*surdéterminé*] traditional forms of power relations related to classical sovereignty or to the ideal of community based on a compact axiology shared by all its members.

So, *more than ever*, the relationship between the rulers and the 'ruled' appears to be connected to the great pastoral form, and it is not without reason that the questions of health and safety and security (those which deal with the immunization and the maintenance of bodies) appear to be the major object of the contemporary government of the living. Moreover, this is notably to the detriment of the classical forms of political life which are related to the shaping and the institutionalization of conflict. Today's proliferation of medical and police imagery within the vocabulary of government and power provides a further clue to this factor of over-determination of all political devices and rationalities or power apparatuses by the pastoral form as adapted to the conditions of late modernity.

However, at the very same time, the paradox of this contemporary pastorate is as follows: the more the process of globalization and homogenization continues unimpeded, the more it appears to 'leak' from the other end. As the pastoral dimension, that is folded into the government of the living, becomes increasingly accentuated by this government, a series of aporias emerge most notably when it comes up against the logic of the market. Immunization of the living and market freedom are unhappy bedfellows.

If we are to remain true to Foucault's hypothesis, the reason for this paradox is the 'arrival' of Christianity which has left an indelible imprint on the constitution of the subject in its relation to power and, more precisely, on the way it comes to terms with power relations. In the 'mechanism' of confession, there is both a relation of obedience established and the constitution of a subject with its 'own interior space', and these are inseparable; submission and the learning of freedom are here indiscernible. In the same way, in contemporary biopolitical spaces, an enigmatic circle takes form: the more the global pastorate widens its scope and improves and varies its techniques, the more the 'objectification' procedures of the herd and its behaviours are multiplied; the more numerous and differentiated the messages which are addressed to it become, the greater the proliferation, on the other hand, of the possibilities for reacting and interacting, for setting up discursive spaces in which pastoral conduct will be taken up, if one may say so, from a reverse angle. Whereas soul searching and confession imply that a space is opened up to the discursive abilities of the sheep, in the same way, in contemporary biopolitics, disciplinary 'normalization' is not enough: increasingly, a good biopolitical government appeals to the subject's judgement, to its responsibility, to its ability to make plans for the future, and so on. Today's government appeals less to discipline than to safety and security techniques or mechanisms, seeking public assent for these. This means that vanishing lines or 'lines of flight' [*lignes de fuite*] out of the original conditions of pastoral power appear again and again. Each time such a space looms on the horizon in which those who are 'led' are promoted (if not, properly speaking *instituted*) as subjects, when their discursive abilities are called upon, instead of consenting and assenting, they balk; instead of 'understanding' what is 'explained' to them, they reason by themselves; instead of walking as a herd, they go wander off; and, even if they do not resist openly, they become, simply by doing this, *ungovernable*.

From this point of view, it is easy to observe how the 'return' of politics in its more classical forms – that is, division openly exhibited in

the market place – *at the very heart of biopolitical forms* is a common phenomenon in our societies. It was not so long ago that the South Korean population, after having elected a committed conservative as president, demonstrated in the streets by the dozens of thousands when this man decided to permit the importation of beef from the US again despite repeated warnings from relevant health authorities. The classic form of conflict between those at the top and those below returns again and again in contemporary democracies and is located at the heart of the biopolitical. The public fury in South Korea over the failure of the authorities to respond adequately during and after the ferry disaster of April 2014 demonstrates this further.

So far my intention has been to counter all kinds of extremely pessimistic discourses that foretell the 'agony of politics' every morning for the benefit of the proliferation of technologies meant for the implementation of 'taming' and domestication, or even enslavement of the human herd. However, having mentioned all this, I would like to propose one final twist. This requires an awareness that the way in which Foucault defines what one might term the 'basic pastorate', as brutal, crude and oversimplifying as it initially appears, by presenting a straightforward asymmetrical relation between a pastor, who is neither king not sovereign but who is certainly the exclusive depositary of the understanding of the power relation established between the shepherd and his flock, draws our attention to this absolute disparity between shepherd and flock. This is a disparity and difference which can be found in any kind of pastoral form or pastoral power regardless of the level of 'sophistication' with which such power is organized and not as a trace or a remnant but, actually, as a structural and structuring element. From this point of view, it is essential to remember that, contrary to what Plato claims, the issue of the question of heterogeneity between the human condition and that of the animal, perceived in terms of a notion of quality or lack of quality, remains permanent and primordial.

In all kinds of pastorates, ancient, modern or contemporary, genuine human qualities are assigned entirely to the guide. Moreover, the reason why it does not matter much if the 'ruled' element is human or animal now becomes clear. Something essential within the pastoral relation drives the herd back to animality, to 'la vie bête' (which is, I stress again, something quite different from 'bare life' as articulated by Arendt and, after her, Agamben).[1]

This 'something', one can name in different ways, the simplest and the most illuminating doubtless consists in recalling that the pastoral form excludes completely any principle or procedure tending to the

equalization of rulers and ruled; and this for the good reason that the knowledge about conduct persists in being, in any circumstance, completely heterogeneous to the kind of knowledge(s) that the rulers and pastors expect from the 'ruled', so that the latter can be led or, better, become *leadable* [*guidable*]. In the corrupt language of contemporary 'governance', this radical difference in status between the alleged intelligence or expertise of the ones who guide and the 'ruled' entity manifests itself in the high frequency of *pedagogic images* within the ruling authority's discourse. The human herd is a reluctant and absentminded class – in the school(-life) sense of the term – to whom he, the ruler as teacher, has to explain again and again, in simplified terms, what it has to know so that the herd continues to be *leadable*. It is beyond any question that the knowledge of those who are led be deemed equal to that of the pastors and even if such a thing could be imagined, it would obviously not be desirable according to the terms of the 'social police'. The 'political' pedagogy required for the wise conduct of the herd consists in making available – for each and every member of the flock – only the amount of knowledge necessary for its own conduct.

Once again here, the imagery borrowed from medicine is useful. In the same way that the physician explains to the patient only that which is absolutely necessary in order that the patient follows the treatment that has been prescribed to him, the statesman endeavours to disseminate among the public only 'useful' and simplified messages, messages concerned with reassurance rather than truth. We only need consider the financial crisis of recent years in this respect.

The reason for these simplified messages is that the faculty of judgement of the 'ruled' to which the rulers appeal persists in being that of *intelligent animals*. These intelligent animals are what we, conversely, call 'la vie bête' – that is, basically, life which can take shape and last under only the conditions of the pastorate, provided that it is led. In this sense, what at the beginning of this chapter was presented as some kind of a blunder by Foucault actually constitutes one of the blinding effects of his art of philosophizing with a hammer, his ability to articulate, as he often does, suggestions which are, properly speaking, astounding. In the case of his accounts of pastoral power, this is a proposition that consists of reminding us bluntly that the stakes of modern biopolitics are to impose, over the long term, a total and basic indistinction between animal and human herd. This distinction is something we have long suspected. Indeed, excellent scholars have taken steps to convince us that the animals, since they are also living, must too have the same 'right to have rights' which *we* have. From the moment the axis of any

kind of politics is the defence and the promotion of life, the hidden trend of the modern pastorate surges up again. Yet, here, it is only the humanity of the pastors that is guaranteed. As for the herd, this remains, after all, *living form and matter*, the qualification of which remains up for discussion.

Note

1. See most notably, Arendt, 1958: 286; Agamben 1998: 1

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9

Beyond Slogans and Snapshots: The Story of the *Groupe d'Information sur les Prisons*

Sophie Fuggle

Introduction: Books versus cigarettes

On 2 November 1971, René Pleven, the French Minister of Justice, announced that families would no longer be allowed to send Christmas food packages to inmates. This was seen as a particularly oppressive and callous response to a spate of protests inside French prisons which had culminated in the death of two hostages at Clairvaux prison in September of that year.[1] Newspapers and magazines were also banned in some prisons in order to curtail the circulation of various left-wing journals.

In November 2013, Chris Grayling, UK Secretary of State for Justice and Tory Party MP, announced that those serving prison sentences in the UK would no longer be entitled to receive packages from the outside. Again, this announcement was timed to be right before Christmas. Inmates were prevented from receiving books from friends, family or even libraries and charities. They were also banned from receiving gifts and handmade cards from their children. As with the Christmas food packages in France, one of the reasons given here was the risk of smuggling contraband into prisons.

In both cases, public intellectuals and writers vehemently denounced the bans. Yet, the authors who have spoken out against Grayling's recent legislation have tended to take the gesture at face value, reading it as a symbolic act on the part of Grayling, an act of zero tolerance which fails to take into account the role of literacy and reading in rehabilitating offenders. However, if we identify this practice of banning packages and, more specifically, books from prison as an age-old technique

associated with the management and control of inmates, we should resist the knee-jerk reaction of condemning such a technique as archaic and draconian. Instead, pursuing a similar line of enquiry as Angela Davis in her critique of US prison reforms,[2] we should ask, what is really at stake in Grayling's ban? It may well be that this ban does not stem from a failure to appreciate the value of reading or the importance of maintaining contact with friends and family on the outside. Nor, perhaps, is this simply about issuing a warning to would-be criminals about the harsh deprivations they will face in prison. How might such legislation form part of a serious modification to the myth of rehabilitation long maintained as part of UK discourses of incarceration and detention?

The role and function of incarceration in countries such as France and the UK is shifting. Such shifts are mostly imperceptible, and when the media does pick up on changes to legislation or new measures such as the ban on smoking, much of the response produced by the intellectual Left tends to provide a smokescreen rather than a serious analysis and confrontation to such measures and their underlying discourses. Grayling's book ban, when linked to the workfare programs endorsed inside and outside prison by his party, raises wider questions about the role of education in an increasingly unequal system. Who should have access to certain forms of education? Who, by contrast, should be restricted to training and apprenticeships? How does one ensure those unable, unwilling or unqualified to work are channelled back into the labour market or, as in the US, safely warehoused for extensive and indefinite periods of time?

This chapter takes these questions as its starting point along with the failure of intellectuals and radical and mainstream media, together with the public, to fully engage with the stakes and implications of incarceration in late capitalist society on anything beyond a superficial level. In calling for different questions and voices here, I propose that the work and legacy of the *Groupe d'Information sur les Prisons* (GIP) embodies a moment where the conditions and function of the prison was, albeit briefly, seriously challenged and problematized. On the one hand, inmates and their families were given a voice previously denied to them. On the other hand, this was also a moment in which intellectuals, the media and the public came to recognize their role in the debate.

In considering the legacy of the GIP, our focus must always be the history of the present (Foucault, 1977: 31). This chapter will make a case for the continued relevance of the work of the GIP, taking stock of

its methodology, its publications and its outcomes. At stake here is the way this moment belongs to the history of *our* present. The comparative successes and failures of the work of the GIP function here as a *point de repère* [landmark] for reflecting on the current tensions and issues surrounding incarceration in the opening decades of the twenty-first century.

Today's prison book ban brings us back to the notion of the 'word' – back to the importance of reading as well as writing and of finding one's own voice through the voices of others. In considering this focus on the word and its legacy, we should also bear in mind the role of the image which has arguably become the most dangerous and ubiquitous form of disciplinary power operating in contemporary society.[3]

Manifeste ronéotypé

On 8 February 1971, the *Groupe d'Information sur les Prisons* was launched at a meeting held in the Chapelle Saint Bernard, Paris. The group's manifesto signed by J.-M. Domenach, M. Foucault and P. Vidal-Naquet was read out by Foucault before a group of journalists, activists and academics. The manifesto opened with the following statement:

> No one among us can be sure of avoiding prison. Today less than ever. The systematic policing of our everyday lives gets tighter: in the street, on the roads, tightening its grip on foreigners and young people; thought crimes have returned, anti-drug measures proliferate arbitrarily. We all live under the shadow of police custody. We are told that the courts are overwhelmed. We can see that much for ourselves. But what if it is the police that have overwhelmed them? We are told that the prisons are overpopulated. But what if it is the population that has been overimprisoned? (Foucault, 2001a: 1042; my translation).

If one does a web search of the keywords 'Foucault' and 'GIP', the image most likely to appear is one of Foucault reading a statement. Sartre stands to the left-hand side, lighting a cigarette. Depending on how the image is cropped, Deleuze sometimes appears in the background, looking on distracted. Sartre bored; Deleuze tangential. This is not, as it is often believed, an image of the inaugural meeting of the GIP but a press conference held by the group on 15 January 1972 in response to the prison riots taking place at Nancy.

As the most widely circulated documents from the GIP archive, the manifesto and the photograph of Foucault and Sartre, text and image, work together, reducing the story of the GIP to slogan and snapshot. In this context, it is unsurprising, therefore, that discussions of the GIP often focus on the tensions between academic celebrities and those voices they were attempting to make heard. Most notably, the work of the GIP tends to be annexed to that of Foucault, frequently as a biographical footnote to his theoretical work on institutional power, in particular, his 1975 text *Discipline and Punish*. In this respect, it is flagged up as an example of Foucault's more successful political activism in contradistinction to his 'problematic' reporting on the Iranian Revolution and elsewhere.[4] Foucault's work as part of the GIP functions as useful recourse for those wishing to highlight the ongoing paradoxes of his thought and personal politics whether as critique *of* or rehabilitation *from* a sort of apolitical, neoliberal dandyism.[5]

Consequently, to tell the 'story' of the GIP seems to require a certain contextual framing which reproduces dominant narratives associated with the intellectual Left in postwar France.[6] How, therefore, do we conjure the spectral presence of May 1968, the *Gauche Prolétarienne*, the French Maoists, in order to have done with this part of the story, to move beyond and outside it? This is not to deny the importance of the multiple stakes, struggles, and movements coming together here but to refuse to allow these moments of resistance to congeal. How do we push the idea of the *Groupe d'Information sur les Prisons* as practice rather than as a historical artefact so as to rescue its critical force?

We might go as far as to suggest that the GIP grew out of the desire to tell a different story to the one we continue to tell and, moreover, to have someone else tell it. Serious attention was first drawn to the physical and material conditions of life in French prisons by those arrested for their political activism. In 1970 this had resulted in the introduction of the *loi anti-casseurs* by a heavy-handed government anxious to have done with the Gauche Prolétarienne (GP) and related left-wing groups. While those sentenced as a result of their association with the GP, including Le Dantec and Le Bris, editors of *La Cause du Peuple*, the GP's newspaper, asserted their status as 'political' prisoners in order to emphasize the oppressive regimes operating against freedom of speech and the right to protest, they also made it clear that this did not set them apart from other inmates. Instead, they called for the acknowledgement of conditions experienced by *all* those serving sentences. A statement to this effect and which claimed

to be 'written in the prisons of France' was published in the press in September 1970:

> We demand full recognition of our status as political prisoners. We are not, however, demanding privileges denied to so-called 'common law' prisoners; in our view, they are victims of a social system which, having produced them, refuses to re-educate them and is content to degrade and reject them. Indeed, we want our struggle, which denounces the present scandalous regime in the prisons, to help all prisoners (quoted in Macey, 1993: 259).

But alongside the word, the image is also key. What is it that we don't see here, that we can't see here, that we are blocked from seeing? How might the image of Foucault and Sartre point to something more interesting that does not deny the importance of the image but defers this importance, moving it elsewhere? The work of the GIP was focused around the idea of the 'voice', different voices. But might we articulate or frame this better or more usefully for our own moment? Isn't it also about 'visibility'? How do we think about the visible alongside the audible and the invisible in conjunction with the inaudible?

In their call for material from inside French prisons, letters, journal entries, interviews, anything which told a different story to the official narrative, the GIP also asked for images and flagged up the possibility of a film. Indeed, in 1972 a documentary film was made, entitled *Les Prisons Aussi* and directed by René Lefort and Hélène Châtelain. However, the documentary did not reach a mainstream audience. Television in France was state run, and authorized documentaries continued to present a limited critique of conditions inside French prisons.[7]

In 2013, a selection of photographs were published under the title *La Révolte de la prison de Nancy*. The collection contains images from the January 1972 prison riots in Nancy alongside images of meetings, events and protests organized by the GIP and documents from the group's archive. If anything, these images, which include the famous Foucault-Sartre photograph, attest to an absence. This absence is acknowledged by the collection's editor, Philippe Artières. In his introduction he points to the absence of photography of the inmate in prison, which until very recently has been largely focused on prison architecture. Where images of inmates have featured, these have consisted of carefully framed shots, intended to demonstrate the everyday functioning of the prison as effective state institution, not its failure. What is missing, Artières suggests, is the documentation of the events which disrupt prison life, the moments

in which the prison loses its grip on those it contains, the moments where the inmates push back against the architecture, routine and discipline which organizes their existence (Artières, 2013: 8–9). This alternative reading is most evident in the choice of cover for the collection, the front and back of which is entirely taken up by an image of inmates on the roof of the prison. Writing about this symbolism of the roof in a pamphlet dedicated to the prison riots in France, 'Cahiers de revendications sortis lors des récentes révoltes', the GIP suggested the following:

> The inmates did not get up on the roof in order to escape but so that their pleas might carry as far as possible. Who is being addressed by this plea which is currently spreading from prison to prison, gaining in strength and clarity? (Groupe d'Information sur les Prisons, 2013 [1971–3]: 223, my translation).

We might question the simplicity of such a reading. Where the image might be read alongside similar images of inmates on the roofs of Attica and Strangeways, drawing out the peculiarities as well as the commonalities with struggles taking place in the US and UK both concurrently and decades later, there are more questions raised than answered here. This is not simply a statement about visibility. Certain protestors are quite clearly attempting to disguise themselves, wearing scarves tied around their faces. There are also obvious tensions between those up on the roof. At the same time, might we wonder about all those not up there? A very specific demographic is visible here in terms of age and race. The men on the roof are predominantly white, well-dressed young men between 18 and 35. Who exactly is claiming this visibility? And, conversely, who remains invisible and why?

Artière's collection reminds us of the persistence of these questions 40 years on. But the stakes have changed here and the symbolism of such self-representation has been co-opted by dominant discourses of power. Today, the inmate is a firm fixture in public consciousness, as both voice and image. Yet, if these voices and images have come to dominate the screen and the press, they have at the same time become increasingly distorted, fuzzy, pixelated, blurred and over-saturated. Although both the photograph of Foucault and Sartre and that of the inmates on the roof of Nancy make a case for the increased visibility of those incarcerated, such visibility has long been co-opted to a politics of fear in which the inmate is called to 'perform' his or her criminality for prime time television audiences. In this respect, one dimension of the legacy of the GIP must surely consist of an ongoing critical engagement with forms of

self-representation and the various framings these undergo according to different political and ideological agendas.

Furthermore, to remain fixated on the relationship between activism and that which Foucault once denounced as the 'scribblings' [*griffonage*] of academics serves neither position (Foucault, 2001c: 1169). Both involve the reification of the academic, the author and the ego above the cause that they are involved in fighting for and the history they are critiquing. The careful and sensitive negotiation between the two enacted by Foucault, and his awareness that his privileged position was both useful and distracting when trying to gain support, does not preclude us from considering the work of the GIP alongside his genealogy of the prison in *Discipline and Punish*. If anything, both work together as a call to be done with irrelevant binaries which divide up theory and practice, activist and writer as well as cause and history.

Foucault's later, more nuanced notion of power is unquestionably indebted to his work on prisons which notably took him to Attica in the wake of the 1971 riots. Foucault described Attica in terms of an 'immense' and 'complex' machine, the function of which was ultimately social exclusion. (Foucault, 2001e: 1394–5) To witness the functioning of such a machine also pushed him to recognize more fully how the space of the prison is predicated on more than just the negative elements of this social exclusion.

> Prison is an organization that is too complex to be reduced to the purely negative function of exclusion: its costs, the care taken in its administration, the justification given to it, all this seems to indicate that it has positive functions. The problem lies in discovering the role that capitalist society has given to its penal system, what end is sought, what effects have produced all these processes of punishment and exclusion (2001e: 1396, my translation).

Yet, if from the mid-1970s onwards Foucault posits an understanding of disciplinary power as a productive rather than purely oppressive set of operations on the deviant and docile body alike, then the GIP's own position seems to belong to an earlier understanding of power and authority far more akin to an Althusserian reading of repressive state apparatuses (RSAs), which posits prison as a violent and coercive mechanism used by the state to maintain social order (Althusser, 1971). Consequently, it is as if to get to the crux of what is at stake in disciplinary forms of power that Foucault needed to go through an intense process of negotiation.

The political and philosophical positions he held framed his work with the GIP and were instrumental in his articulation of a deep-rooted suspicion of institutional authority and organization. Yet, such positions were themselves dramatically reshaped, if not dismantled, by the work with the group itself. Francois Boullant has suggested the following: 'Far more than any of his other books, *Discipline and Punish* carries the imprint of an insertion into a harsh political context in which, well before its publication, Foucault had invested completely' (Boullant, 2003: 10, my translation).

One of the conclusions we might reach here, perhaps, is that the GIP exhausted itself in its own moment. Alberto Toscano has suggested that the work of the GIP offers 'no practical model' for those involved in contesting the existence and functioning of today's prisons (Toscano, 2013). The organization ceased its activities in 1972, giving way to inmate-led organizations including the Comité d'Action des Prisonniers (CAP) and the Association pour la Défense des Droits des Détenus (ADDD). The point, after all, was not to speak on behalf of those incarcerated but to give them the ability to speak for themselves. As we will see, this point is not as straightforward as it sounds, and the work of the GIP opened up a series of methodological as well as ethical questions about the stakes of identifying this previously disparate group of individuals located in prisons across France as a collective, political voice.[8]

This is not a sociological enquiry

> The Groupe d'Information sur les Prisons has launched its first inquiry. This is not a sociological inquiry. Instead, it is left up to those with an experience to speak. Not that they need our help to 'gain awareness', they are already aware of the oppression, this much is perfectly clear; they are well aware of the enemy. But the current system denies them the means to articulate and organize themselves. [...] As the first act of this 'intolerance-inquiry', we have distributed a questionnaire at the prison gates and to all those able and willing to know and act (Foucault, 2001b: 1043–4, my translation).

The work of the GIP began through what Foucault referred to as 'Intolerance Enquiries'. The idea was to collect and distribute as much information as possible about what was intolerable about French prisons in order to incite public intolerance and enable the establishment of widespread social movement against these conditions. However, it is worth noting here that Foucault and the rest of the group made it clear

that this was not a reformist project. The group considered such projects to exclude rather than include the voices of those subjected to prison conditions. Instead, the aim was to provide the information necessary to push the public to question the very existence of the prison as the default form of security, punishment and social rehabilitation (Groupe d'Information sur les Prisons, 2013: 17).

The first task took the form of a questionnaire smuggled into prisons via prisoners' families and those working there: doctors, lawyers, instructors, all those who were sympathetic to the project and all those who agreed to take part. At that time access to French prisons was heavily restricted, as it indeed continues to be, so the intellectuals who formed the group were unable to enter prisons. Four pamphlets were then produced under the title *Intolérable*:

1. *Enquête dans 20 prisons* was published in May 1971 and contained the original questionnaire and several samples of the narratives received.
2. *Le GIP enquête dans une prison modèle: Fleury Mérogis* comprised a study of what was at the time thought to be the most sophisticated French prison in terms of architecture and management. It included a commentary on the complicity of the mainstream press with discourses of rehabilitation [*réinsertion*] promoted by prison authorities.
3. *L'Assasinat de George Jackson*: Extending the scope of the enquiry beyond France, the pamphlet was dedicated to Jackson, a member of the Black Panthers, killed while he was trying to escape San Quentin in August 1971. The pamphlet featured a preface from Jean Genet, interviews with Jackson and various texts arguing that Jackson's death was, in fact, a 'political assassination'.
4. *Suicides de prison* was compiled in 1972 and published in 1973. The final pamphlet contained a list of 37 suicides committed in French prisons during 1972, case histories and letters from H. M., an inmate imprisoned for minor offences, who hanged himself in prison after being sent to solitary for 'homosexuality.'

The concept of the intolerable is of key significance. Evoking the term had the aim of turning intolerable conditions in the prisons into intolerability on the part of the public. But in its striking simplicity, this gesture also raises the question of the role of the intellectual in defining the 'intolerable' and, moreover, in positing it as something above and beyond the specific material, physical and even psychological conditions

of the prisons which constituted the subject of the inquiry. The term is echoed in Deleuze and Guattari's *What is Philosophy?* where they consider how speaking for others is something which cannot but arise when we are confronted by intolerable suffering (Deleuze and Guattari, 1994: 109–10). If this rehabilitates the intellectual and academic from privileged elite to engaged social actor, the tension to work through here is what it means to speak for others and, subsequently, what it means to give voice to others. How might the concept of the intolerable be thought of as an ethical obligation whereby those who are able to speak take up the causes of those who lack the language, organization or platform to do so? How might the concept itself be critiqued as an imposition or projection legitimizing certain types of intellectual authority and discourse?

In her detailed study of the work of the GIP, Cecile Brich provides a useful critique of the methodology, rhetoric and internal politics of the group. In particular, she laments the largely hagiographical references to the movement by David Halperin (1997) and others who often appear to highlight the movement as little more than an example of Foucault's activism (Brich, 2008: 27). Brich's analysis draws heavily on Foucault's own critique of discourse, articulated in *The Order of Discourse* and *The Archaeology of Knowledge*. For Brich, the issue of who has the right to say what, where and under which circumstances bears particular relevance to the claims made by the group.

Of specific interest here is her critique of the survey. According to Brich, the survey or questionnaire as a mode of gathering information is neither analysed nor problematized by the group. Despite claiming not to be doing the work of sociologists, the group depends upon a standard method without a documented debate as to its validity. The second problem raised by Brich refers to the small number of responses to the survey. From a potential sample of approximately 20,000 inmates, only 50 completed surveys were gathered. As such, their value was qualitative rather than quantitative, but given the nature of the survey method, this raises certain problems (Brich, 2008: 30–1).

Despite the fact that the group claimed to have produced the questionnaires with the input of former prisoners and modified them following initial responses (Groupe d'Information sur les Prisons, 2013: 19), Brich goes on to suggest that a lack of thought went into the reception and engagement with a survey by inmates both in terms of literacy and the fear of repercussions if caught with illicit material. For Brich, this attests to a level of presumption made by a group of privileged male academics who assumed those whom they were calling on possessed the same

linguistic capabilities and used the same vernacular to describe their experiences. There was also a lack of sensitivity towards those who may have felt too ashamed to express themselves in poor French to complete the survey (Brich, 2008: 31–3).

If the survey were a failure in these respects, it is perhaps more useful to consider this failure as achieving a certain aim nevertheless. The issue of getting the questionnaires into the space of the prison and the enormous difficulties and risks encountered in doing so is perhaps more important to the group's legacy than the number of responses received. In this respect, the intolerance enquiry was a tactic rather than a strategy. The information received attested as much to the lack of information, the control and regulation of information, the preclusion and silencing of alternative channels and the sources of information about life in French prisons. Michael Welch has suggested that the work of the GIP be considered as a form of 'counterveillance' in which the optics are reversed and the institution becomes subject to the gaze of the prisoner (Welch, 2011: 302ff.).

The intolerance enquiries were not sociological enquiries since, despite using an approach favoured by sociologists, the data sought was not intended for academic publication in relevant social science journals but rather pushed back against studies commissioned and approved by government and prison authorities, turning the methods of compliant sociologists and criminologists against them. Moreover, the presentation of the findings, as the next section will suggest, compiled through a series of deliberate framings and juxtapositions, constitutes an affirmation of writing, and moreover academic writing, as activism.

Rogue archives

Against the valid criticisms of the survey, such as its relying on a conventional research method, and the ever-present risk of affirming the voice of the public intellectual over and above that of the inmate, it is possible to emphasize both elements of the project – the enquiry and its presentation – in terms of that which Thomas Docherty has termed 'clandestine' research, contrasting the 'Official' university with a 'Clandestine' one. Docherty proposes that the 'real' research being carried out by academics or intellectuals must go on outside and sometimes at odds with the formal research supported by their institutions and external funding bodies (Docherty, 2014). In the case of the GIP, this 'clandestine' research pertained to methods and styles of writing as well as conducting research, actively contesting academic authority and

authorship and challenging existing hierarchies between researchers and their subjects.

Writing while in prison has often been affirmed as a transformative experience which is then mapped back onto the actual experience of incarceration.[9] The statements, commentaries and editorial processes of the GIP involved a different process altogether, one which, to appropriate Foucault's famous maxim, involved *writing not to have a face*. (Foucault, 2002: 19) The juxtaposition of material from inside and outside the prison walls and the anonymity of the group's own writing constitute the deliberate dismantling of institutional hierarchies, bringing the voices of the prisoners into the same space as those critiquing the prison from beyond its confines. The coexistence of these voices, speaking from different places but brought together within the pages of the pamphlets calls into question not only who gets to speak about incarceration but how and why.

Where the framing of the survey responses along with texts by inmates, statistics and statements from lawyers and social workers is intended to allow these voices their own spaces in which to speak and be heard via a series of disclaimers in the group's own statements, elsewhere in the pamphlets there emerges a different tactic aimed at shutting down or talking over dominant discourses on prisons and those incarcerated. This mode of circumvention is notable in Genet's preface to the third GIP pamphlet dedicated to the assassination of George Jackson (Groupe d'Information sur les Prisons, 2013: 155–63). Genet does not open with Jackson's biography, with the exceptional circumstances of his death but instead establishes these as the rule: 'In Europe, it is increasingly rare that a person is willing to risk death for his ideas. Blacks in America do this every day' (Groupe d'Information sur les Prisons, 2013: 155; my translation). The tone set here refuses a romanticizing or eulogizing of Jackson and instead sets out to reproduce the bitter sarcasm Genet locates in Jackson's own writing which he then allows to take centre stage in the preface (157).

Another example of this 'talking over' can be found in the second pamphlet which takes the 'model' prison of Fleury-Mérogis as its target. An article in *France Soir* celebrating the prison is reproduced and preceded by a scathing exposé of the standard prison tour and the complicity of journalists in affirming prisons as well-managed spaces of education and rehabilitation (139–41). The careful negotiation between the angry polemic of the pamphlets with their lists of intolerable institutions in large font and the care taken to prioritize, as far as possible, the voices of inmates and their families above the statements and commentaries

of the group continues to bear significance for anyone attempting to (re)present the intolerable experiences of others. With the GIP, techniques of framing and editing are reimagined as forms of engaged, intellectual responsibility rather than as assertions of academic authority.

Our over-imprisoned population

> For them [the bourgeois government], hate is masked by a lying humanity that they will cling to no matter what (Sartre, 1971: 14–15, my translation).

In *Discipline and Punish*, Foucault asks how the prison came to constitute the mode of punishment *par excellence*. Here, he argues that it is not a result of a more humane society that corporal and capital punishment died out in Western Europe during the eighteenth and nineteenth centuries. The carceral space in its management, surveillance and control of the criminal body is part of the emergence of a disciplinary mode of power aimed at producing a docile and compliant workforce. *Discipline and Punish* takes this docile body as its focus, linking the appearance of such a body with the effective and efficient production of capital. Foucault's 1973 lecture series, *La Société Punitive*, delivered at the Collège de France, identifies the emergence of the prison more closely with the protection of capital and, in particular, a bourgeois capital, constantly on the move (Foucault, 2013: 107ff.). Imprisonment, as assuring both the production and protection of a globalized, deterritorialized capital, must necessarily constitute the starting point for enquiry into our own over-imprisoned population.

It is possible to locate the work of the GIP at a precise moment in recent history in which the very existence of the prison within Western society was being called into question. (Alexander, 2012: 8) The task today includes picking up where Foucault left off. How might we begin to construct a genealogy of the past 40 years that identifies the various shifts and turning points which have resulted in the over-imprisoned population we have today?

Michelle Alexander picks up one possible thread here in her analysis of Reagan's 'War on Drugs', which, she argues, led to a sudden upward surge in prison populations which have continued to rise over the last 30 years (Alexander, 2012). However, if Alexander provides compelling evidence for the systemic racism underpinning today's mass incarceration in the US, this needs to be coupled with further reflection on

conditions within the prison system, not just for those who are the victims of racist drug laws but for all prisoners, including rapists and serial killers. Again, this is why the work of the *Groupe d'Information sur les Prisons* must be read alongside Foucault's theoretical analyses of the emergence of the prison as definitive penalty for illegal activity. To lever open the mechanisms which allow the effective functioning of both prison as nineteenth-century disciplinary institution and contemporary industrial complex requires tactics operating at once from within and without the carceral space.[10]

On being asked about a world without prisons, Foucault points to the historical contingency of this form of punishment:

> The answer is easy. There were, in fact, societies without prisons not so very long ago. As a mode of punishment, prison is an invention dating from the beginning of the nineteenth century. [...] You want me to describe a utopian society where there would be no prison. The problem is to find out whether a society could be imagined in which the application of rules would be applied by groups themselves (Foucault, 2001d: 1300).

Yet, his deliberately evasive answer puts the onus back onto us. To what extent do we take the space of the prison for granted and incarceration as default punishment for all crime as an incontestable given? How many of us would want to see the abolition of prisons and the release of the general prison population into society? How far are we willing to consider the implications of such a proposal? This is one of the blind spots of much academic writing on incarceration today.

Moreover, it is also not without an acute irony that the notion of intolerance has been co-opted by a series of overtly repressive state apparatuses, to return to Althusser's terminology, in the form of the zero tolerance measures introduced against individuals and groups. Our lack of tolerance has been redirected and, as a consequence, what we are seeing today are increasingly overpopulated prisons and harsher sentencing for both first-time and repeat offenders. Grayling's recent two strikes rule for violent crime echoes measures imposed by Sarkozy in France and the Reagan (War on Drugs) and Clinton (Three Strikes) regimes in the US. Despite the accompanying rhetoric, such measures rarely bear any relation to actual crime rates but, instead, correspond to a perceived threat as social inequalities are exposed and demands for redress become more vocal. The excessively punitive sentences handed out to those caught in the UK riots of 2011 bear testimony to this. It is

far easier to direct one's sense of injustice, indignation, inequality and intolerance against those who are weaker than it is to push back against the system.[11]

Thus, whether education and training programs are cut from or introduced into the carceral space is of little import to the role of the prison in the opening decades of the twenty-first century. Banning books or praising alpha courses and prisonfare, to quote UK examples once more, are all part of a bad faith exercise which enables us, all of us, to draw a thin veil over the toxic politics of fear, which has come to define late capitalist society and which continues to justify locking up large percentages of our populations.[12]

Notes

1. For a detailed account of the work of the GIP and the events surrounding the group, see the chapter 'Intolerable' in Macey, 1993: 257–89.
2. Davis argues that we should be wary of 'reformist' discourses which are aimed at a more efficiently managed prison system and *not* a serious questioning of the physical and psychological suffering endured by those incarcerated (Davis, 2003: 20).
3. For compelling analyses of the use of images in the 'war on terror' see, for example, Butler, 2009 and Mitchell, 2011.
4. A summary of the events of 1978–79 is presented before the first of Foucault's reports reprinted in *Dits et Ecrits II* (Foucault, 2001f: 663). A useful background is also provided by Michiel Leezenberg (2004). Offering a different reading to most commentators, Slavoj Žižek has suggested that Foucault's engagement with the Iranian Revolution was an 'appropriate gesture' but performed for the wrong reasons. Foucault was right, according to Žižek, in recognizing the 'emancipatory potential' of the events of 1978 but made a fundamental mistake in how he set about theorizing this potential (Žižek, 2008: 108–16).
5. Francois Boullant has suggested that the anti-Foucauldian movement led by Jean Baudrillard in the late 1970s and 1980s with his polemic text, *Oublier Foucault*, which contested the validity of Foucault's work for radical political thought, seriously damaged the perception of the possibilities which Foucault's work on prisons opened up for thinking differently about incarceration (Boullant, 2003: 8–9).
6. For a brief but nevertheless useful contextualization of the GIP documents in the context of French Maoism, see Toscano, 2013.
7. According to Alain Brossat, French media interest in the penal system continues to function according to a circular logic of 'attraction and repulsion' which takes the form of scandal and silence. Journalists flock to a prison on the occasion of a scandal or incident, employ a rhetoric of moral indignation which assures rather than challenges public complicity with subsequent penal reforms and government legislation (Brossat, 2001: 22ff).
8. As Macey has pointed out, it was unsurprising that some of the families of inmates involved in the establishment of these new groups sought to distance themselves from radical left-wing groups (Macey, 1993: 289).

9. For a detailed study of a selection of twentieth century French literary prison writing see, for example, Sobanet 2008. More recently, the philosopher Bernard Stiegler has published on the relationship between reading, writing and his own experience of incarceration (Stiegler, 2009).
10. As Alexander (2012), Davis (2003) and others have pointed out, the prison industrial complexes of the US not only warehouse an unwanted, unneeded labour force but, in doing so, assure the entire economic infrastructure of entire towns and communities. Today the prison industry coexists alongside the war industry as a dominant and guaranteed economy.
11. In *Punishing the Poor*, Loïc Wacquant argues that the increasingly punitive measures introduced in the US stem from widespread anxiety about social and economic inequality rather than any evidence of an increase in crime (Wacquant, 2009).
12. In his Easter speech of 2014, the British Prime Minister spoke of promoting Britain as 'a Christian society' which included a reference to the 'alpha courses' on offer in UK prisons. For an interesting comparison between this 'moral' discourse and the emergence of the prison in the nineteenth century, see Foucault's lecture from 31 January 1973 on *La Société Punitive*. Here, Foucault points out that while there are obvious points of comparison between techniques found in prison and those used in religious orders, the prison did not emerge directly out of a Christian moral framework. Instead, morality was called into the service of the penal system and policing as a means of protecting bourgeois interests from the lower classes (Foucault, 2013: 84–102). For Chris Grayling's endorsement of prisonfare programs, see his speech on 9 October 2012.

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10

Troubling Mobilities: Foucault and the Hold over 'Unruly' Movements and Life-Time[1]

Martina Tazzioli

The migration-government nexus: which critique?

Migration has today become a self-evident buzzword embedded with multifarious social and political issues which together form a sort of 'dodgy continuum', connecting terrorism, insecurity, poverty, trafficking and a humanitarian-securitarian bond that works also as a border. The main political and epistemic lynchpin that sustains the translation of various practices of mobility into migration is the paradigm of government. Moreover, migration as a social issue is coupled from its very outset with a governmental rationale: migration is a phenomenon to manage. For these reasons, as indeed many scholars have argued, there would not be migration without borders, only mobility. And, given the regulative function of borders, it follows that there would not be migration outside of a governmental perspective. 'Government' stands also for the epistemic blueprint that shapes our way of thinking and speaking of people's movements. Most critical analyses on migration governmentality assume this of coupling migration-government as an unquestionable bond, addressing criticisms towards inhumane treatments against migrants or towards the deprivation of migrants' political and civil rights, insisting on the necessity of granting access to services and protection. If the translation of practices of mobility into migration in order to govern is not challenged in itself, the critique of the government of migration becomes a slippery discourse, unwittingly turning into a critique of the excesses

and violations of the politics of mobility and into a claim for a 'fair government'.

In this regard, it is worth recalling Foucault's distinction between critique as judgement or denunciation and critique as inseparable from transformation and as its condition of possibility.[2] Therefore, critique does not consist in saying what is wrong but in refusing and resisting a certain mechanism of power, envisaging and enacting new relational forms: 'there is not a time for criticism and a time for transformation; there are not those who need to do criticism and those who have to transform [...]. [T]the work of a deep transformation can be done than in the opened and always turbulent atmosphere of a continuous criticism' (Foucault, 2002b: 457).[3] Thus, it is precisely by starting from this unquestioned coupling – migration and government or, better, migration as a something to govern – and unpacking this coupling that I introduce Foucault and his notes on the spatial containment of 'irregular' mobility through the apparatus of sequestration and the grasp over people's time. Indeed, as I will show, although Foucault never directly deals with the issue of migration, his sideways approach to this theme nonetheless brings to the fore and mobilizes a reversal of the gaze on mobility, politicizing practices of movements and presenting them as strategies for dodging disciplinary captures.

Troubling mobility and apparatus of sequestration: Reversing the gaze on migration

In particular, I suggest that Foucault's reflections on the government of mobility in his lectures at the Collège de France in 1973, *La Société Punitive*, appear to anticipate and dialogue at a distance with more recent theories of the autonomy of migration (De Genova, 2010; Mezzadra, 2006; Mitropoulos, 2007; Moulier-Boutang, 2002; Papadopoulos and Tsianos, 2007; Walters, 2013) arguing that the control over mobility in the eighteenth and nineteenth centuries functioned through apparatuses of sequestration of people's labour force and time. The 1973 lectures provide an analytical insight into the politics of mobility that points towards the government of migration as a set of strategies for taming and channelling 'mobility disorders'. In this way, if we read Foucault's analyses on government in the light of the thesis advanced in *La Société Punitive* concerning mobility – namely, the idea that control over mobility worked as a strategy for taming and containing 'dangerous' displacements – then governmentality appears essentially as a struggle field and as a strategic response to those troubling movements.

The choice of attributing Foucault with disrupting the perspective on the migration-government nexus might seem a strange move, given the seminal centrality of the notion of government as an analytical grid for rethinking of power relations. However, what is in question here is not the usefulness of governmentality as an analytical grid for grasping the current functioning of migration and border controls and to frame the so-called migration regime in terms of a struggle field between migrants' strategies and techniques of capture. Instead, the gesture to displace the issue of government pertains to a different analytical level – namely, to the evident coupling between migration and government that leads us to immediately subsume under and translate practices of movement into migration to be managed. A history of the present, hinged on mobility control as a strategic response to 'undisciplined conducts', allows us to trace the inception of a more or less structured politics of control over people's movements across Europe. Indeed, as Foucault shows, since the rise of capitalist modes of production, the political technology of government over lives has taken mobility as one of its primary points of contention. However, in a similar fashion to Foucault's other genealogies, a history of the present does not mean to transpose the technology of control over people's mobility in the nineteenth century onto our contemporaneity in order to understand the current migration regime. Rather, it is precisely through a series of dislocations, partial continuities, discordances and ongoing reinvestments that the migration regime emerges as a conflicting site and as a mechanism of capture against troubling movements and undisciplined conduct. For instance, and as I will explain later, the productivism associated with the government of migrants' lives as labour force has to be reassessed today in light of mechanisms of discharge as well as the current economic crisis. But at the same time, despite the specific historical context in which Foucault grounds his analysis, what is at stake in his reflections is a substantial reversal of the gaze on mobility and government that can resonate with and be reactivated in contemporary spaces. In particular, from a spatial standpoint, I suggest that Foucault's sideways gaze on mobility, through an articulated analysis on labour regimes and disciplinary power, allows us to see borders and partitions that cannot be spatially located on a map. In fact, geopolitical frontiers and the borders traced by migration policies need to be intertwined with multiple partitions and bordering processes that stem from other mechanisms of control.

One of the seminal reflections of the lectures on *La Société Punitive* for a critique that tries to decouple and displace the migration-government nexus is, as I said, Foucault's sideways approach to the topic of mobility.

Indeed, the main subject of the lectures is neither human mobility nor the politics of control exercised on it but, rather, the emergence of what Foucault calls 'punitive society', paving the way to an analysis of the birth of the prison that is subsequently developed in *Discipline and Punish*. At the core of his genealogy there is a new economy of power – disciplinary power – that emerged in the sixteenth century, deeply modifying the functioning of social institutions well beyond the walls of the prison, and in which *life-time* and *labour-time* conflate.[4] Why and how since the eighteenth century has detention become the main form of punishment? In order to answer this question, Foucault is in fact forced to engage in a twofold move of widening and displacing his analysis. Firstly, imprisonment as a punitive technique should be located within a technology of government and control that, taking different forms and degrees, has been employed in different sites of capitalist society.[5] Secondly, the function of imprisoning and banishing dangerous subjects in order to break their intolerable illegalisms has always been coupled with that of fixing people to the dispositives of production. Thus, the attention shifts from the prison as an institution to the economy of power relations in which the prison is located. This analytical move towards the economy of power is actually what makes Foucault engage with the production and the government of people's irregular mobility. In fact, to historically retrace the function of mobility control in emerging capitalist society, stressing the transformations in its mechanisms and aims over the years does not entail making a history of marginal subjects but rather points to the centrality of that object of government (mobility). In this way, more than a history that accounts for the 'silences' in the main narrative of capitalism, a genealogy of the government of 'turbulent' mobility, works as an analytical lens for grasping the economy of power and its contested nature: 'disordered' practices of mobility destabilize both the 'citizenship episteme' and mechanisms of production and control that react through a reassemblage of disciplining captures.

This methodological approach appears to resonate with what Silvia Federici has argued about the relevance of a history from the viewpoint of women, claiming that the word 'women' signifies not just a hidden history that needs to be made visible but a particular form of exploitation, and therefore a unique perspective from which to reconsider the history of capitalist relations' (Federici, 2004: 13). In particular, by taking on mobility as a main stake of the government of conducts since the modern age, it becomes possible – in the case of Foucault via the

analysis of the penal system – to see 'the nature of struggles that, in a society, take place around power' (Foucault, 2013: 14). Therefore, to analyse the techniques of containment and punishment through and within the economy of power that sustains them does not lead to the neutralization of troubling practices and disruptive movements within a narrow economic explanation. On the contrary, by looking at the regulation of mobility, Foucault brings to the surface the responsive nature of disciplining technologies. In the face of the emergence of new forms mobility and illegalisms, the multiple *foyers* of power have to rearrange themselves into new assemblages. Indeed, they are essentially apparatuses of capture that are aimed at taming and extracting value from those movements. In this regard, it could be argued that the control of mobility is also an attempt to retake control on the excesses of illegalisms and irregularities.[6] Before coming back to the gaze's reversal on migration mobilized by Foucault, I will dwell upon the targets and the functions of this 'modern obsession' that mobility is a phenomenon to govern.

The containment of freedom and the government of irregular conducts through the control of mobility

Why did human mobility start to be framed in the seventeenth century as a dangerous and troubling phenomenon in need of control? Is it movement in itself that is source of risk, and what is the 'scandal' of free movement? It is noteworthy that the explanation given by Foucault correlates with his analysis of disciplinary power. Indeed, the question on the function of incarceration as a mechanism of punishment is displaced by Foucault towards the transformations to the economy of power relations during the rise of capitalism: the institution of the prison, as part of a broader political technology, aims at having a hold on people's life-time. In the eighteenth century the refusal to work became an object of moral condemnation and, simultaneously, of juridical sanction: 'there is a fundamental identity between the fact of moving and the refusal of work' (Foucault 2013: 49).[7] It is not difficult to understand why Foucault identifies in the vagabond the paradigmatic character of the deviant subject, the matrix of irregular conducts; or better, the vagabond becomes the criminal *par excellence*, the individual in which moral deprivation, resistance to production and the social instability collapse and coincide (Chamayou, 2012). At that stage in the evolution of capitalist society the dislocation from the territory

and an uncontrolled or uneven mobility was in itself considered as a source of instability and trouble since it meant a substantial unreliability of the worker's commitment.

Then, following the historical steps marked in Foucault's analysis, we are confronted with a slightly different scene: in the nineteenth century states and employers try to bridle the labour force of the working class through the regime of contract. Therefore, it is less the marginal subject or the vagabond whose movements are controlled and hampered than the industrial worker: 'the point of application is no longer wealth as an object of possible appropriation but the body of the worker as productive force' (Foucault, 2013: 192). The refusal to put one's own body to work now represents the major source of risk for capitalism since it prevents that life is synthetized into labour force (Foucault, 2013: 236). It is precisely at this stage that the norm intervenes to guarantee the transformation of life into a docile productive body through the acquisition of labour-discipline as a habit. The norm works as a multiple fixing mechanism, which binds the individual physically and morally to different forms of capture: the social space, the discipline of labour and the apparatus of production. As Foucault suggests in *Abnormal*, 'the norm is not simply and not even a principle of intelligibility; it is an element on the basis of which a certain exercise of power is founded and legitimized' (Foucault, 2003: 50). By closely linking the emergence of disciplinary modes of power with the rise of capitalism, both Marx and Foucault unfold the unnaturalness of labour, highlighting the necessary surplus generated by the norm – and formed by coercive measures and moralizing technologies and discourses – to put subjectivities to work (Macherey, 2013; Mezzadra, 2014).

> Labour is absolutely not man's concrete essence or man's existence in its concrete form. In order for men to be brought into labour, to be tied to labour, an operation is necessary, or a complex series of operations by which men are effectively – not analytically or synthetically – bound to the production apparatus for which they labour (Foucault, 2002a: 86).

The norm operates less as an exclusionary measure – dividing up normal and abnormal – than by tracing a social space in which bodies and subjectivities are translated into conducts whose social bond is not given by property but by the fixation to the productive apparatuses. Hence, the incessant striving to produce labour force and make of it a natural quality of subjects is primarily a mechanism for destituting and

hindering autonomous forms of conduct that, depicted as depraved or lazy behaviours, refuse to become labour force.

Labour force indicates not only individual bodies but also collective forces. Indeed, the dangerousness of uncontrolled mobility and the *dodgy continuum* with other forms of *illegalism* that it establishes depend on the collective forms it could take: 'modes of existence', as Foucault defines them, try to resist, circumvent and subtract from the capitalization of life into productive force, generating 'a counter-collective that could menace the institution itself' (Foucault, 2013: 219). Ultimately, the menace depends on the fact that 'labour within capitalist social relations is, in this sense, always simultaneously labour for capital and also against capital' (De Genova 2013). In this sense, irregular mobility is prominently a practice of spatial flight from a control over life's time that tries to bind subjects to the mechanisms of production. A very similar thesis has been advanced by Yann Moulier-Boutang, whose seminal book *De l'esclavage au salariat* explains the rationale at the basis of mobility controls and migration policies, both in Europe and in the colonies: 'The control of the flight of waged workers represents the most important element that presided over the birth, the attrition and the substitution of different forms of non-free labour, and to the origin of social protection as well as to the status of free wage labour' (Moulier-Boutang, 2002: 17).

The government through non-government and the fragmentation of migrants' time

Taking *Discipline and Punish* and *La Société Punitive* together allows us see the twofold effect of incarceration and disciplining power at large in terms of the production of illegalism and the transformation of life into docile labour force. In this way, the thesis of *Discipline and Punish* cannot be read in relation to *the government of the mob* without considering the apparatuses of sequestration acting on marginal subjects and later on the working class.[8] However, as I stated initially, Foucault's history of the present is characterized by an attempt to find turning points and pivotal moments, which indicate how certain mechanisms of capture become reinscribed into different political technologies in order to respond to these refusals to work. This is why the picture drawn by Foucault cannot be applied as it is to the current political framework, since, for instance, the heterogeneity of the present regimes of labour corresponds to likewise manifold labour conditions, constrictions and strategies of resistance.

Moving beyond this, here, I focus on two limit-cases in which the economy of power shifts in part from its ordinary functioning: the economic transformations during a period of crisis and the government of refugees. Indeed, the functioning of apparatuses of sequestration described by Foucault in relation to the eighteenth and the nineteenth centuries cannot merely be extended to any form of the government of mobility. And in this regard, the government of refugees emerges as one of the most longstanding mobility regimes. The creation in the twentieth century of the system of asylum has traced a series of partitions between different kinds of migration based on the main sustaining watershed between economic migrants and refugees. And on close analysis, in the case of the politics of asylum it becomes hard to fully adopt and apply the analytical grid of the valorization and fixation of life's time in order to transform it into productive labour force.

Indeed, as far as the government of asylum seekers is concerned, the blueprint of the productive subject to be disciplined and exploited turns out to be only partly tenable: distinct from the detention of irregular 'economic' migrants, which as many scholars have pointed out should be seen as apparatuses for filtering and decelerating the incoming of the migrant labour force (Mezzadra, 2006; Papadopoulos, Stephenson and Tsianos, 2008), the functioning of refugee camps and the regime of international protection *de facto* works by stranding, breaking and fragmenting people's lives. These produce an ongoing interruption and detour in regard to their fixation within a linear, constant and productive function. While the mechanisms of capture over vagabonds or workers, as described by Foucault, aim at grabbing people's time and spatially fixing them to a certain location or function, in this case the main effect is a substantial fragmentation of temporal continuity, actions/projects and patterns. Thus, against this background we should interrogate the kind of governmental rationality upon which these fragmenting captures are exercised. It could be suggested that the sorting machine that partitions between refugees and economic migrants pertains rather to a logic of a government of (migration) population that, by tracing a moral geography of protection, reallocates and distributes people through selective criteria, rejecting the majority of them from refugee status.

A similar caution should be taken in relation to the current political and economic context. Indeed, especially in a period of economic crisis, the strategy of full employment is by a great deal far from the actual economic rationale: in fact, a generalized production of precariousness, based on differential degrees of partial and temporary employment,

seems to better qualify the economic grasp on migrants' and non-migrants' lives. In this regard, it should be questioned whether the general figure of illegalism is still nowadays that of dissipation: rather, the moral partition between the active and disciplined working citizen and the lazy 'irregular' subject, which Foucault foregrounds in his analysis of the nineteenth century capitalist society, does not work so smoothly anymore, due to the substantial inactivity in which both migrants and non-migrants are forced to live. This complicates and blurs the boundaries of the so-called migrant condition, and at the same time, it partially cracks the rationale of fixing people and putting them to work. However, this does not mean that in a time of economic crisis the logic of work, as a mechanism of government and capture, is no longer applicable in describing the connection between the government of mobility and economy of conducts. On the contrary, the point is the way in which work has been recast in the government of mobility through mechanisms of generalized precarization that render the migrant and non-migrant labour force constantly at disposal and, at the same time, stranded and unemployed for long periods. To put it in a nutshell, the 'migrantization' of life-time and labour-time increasingly affects also the subjects who legally are non-migrants (Tazzioli 2014).

Beyond exclusion and smooth governmentality: the uneven machines of capture of migrants' lives

Despite these huge transformations and increasing complexities that are well encapsulated in the multifarious migration taxonomy, Foucault's focus on the economy of power relations provides nonetheless a distinctive analytical lens. In fact, Foucault takes his cues from a radical critique of the notion of exclusion as a fruitful paradigm for understanding power relations and the complex games between powers and resistances. Through this move Foucault does not want to deny the existence of mechanisms of exclusion; rather, he points out that the notion of exclusion is fundamentally grounded in the field of 'juridical, political and moral representation' (Foucault 2013: 7). Indeed, the category of exclusion induces a sort of double overshadowing. On the one hand, it conflates all marginal individuals into a negative and lacking subjectivity – the repressed, the excluded – in contraposition to the full citizen; on the other hand, it does not look at the effective functioning of power relations, instead bringing attention to the forms in which power is supposed to work or appears. In the same vein, Foucault explains in *The*

Will to Knowledge that his critique of the repressive hypothesis aims 'less at showing it to be mistaken than at putting it back within a general economy of discourses' (Foucault, 1998: 11). Such a perspective, I argue, becomes particularly useful in the context of the government of migrations. Or better still, it helps us to avoid any possible binary opposition between integration/exploitation of migrants in the productive system and rejection/exclusion to produce bare life. Starting from this set of considerations, challenging the inclusion/exclusion paradigm means shifting attention from the productivity/unproductivity of the subjects to the struggle field battlefield of governmentality, namely to the economy of powers as confronted with practices of flight and resistance that force the strategies of capture to reassess their mode of operation.

Following this, I suggest that we should take into account the diverse political techniques that underpin the government of different forms of mobility, not through the double code of inclusion/exclusion but through detecting the points and the mechanisms upon which such government applies – for instance, the government of migration population, the selection of labour force or finally what I would call *government through nongovernment*. This expression designates a fairly common way of operating within the field of migration management that forces us in part to reformulate the Foucaultian matrix of government as framed by governmentality studies. Indeed, as far as migration as an object of government is concerned, an exclusive focus on governmental mentalities tends to overlook the always existing gaps between governmental texts and the effective drive of strategies of containment and capture. Rather, the image of a capillary and at the same time homogeneous machine of governance crumbles as soon as we are confronted with the infraliminar level of administrative techniques, bureaucratic conundrums, practices of detention, management of 'humanitarian emergencies' and migrants' flights. The 'text' of migration governance staged in EU documents and in the discourses of migration agencies is undercut by the plethora of regulative practices that sidestep the supposed standardized governmentality and in part effectively work through a substantial nongovernment. Governing through nongovernment does not signify the loss of control or a loosened grip on migrants' lives. On the contrary, it indicates that the alleged exhaustive *prise en charge* of migrants' lives – in the forms of an indefinite monitoring and surveillance as well as through standardized procedures – is actually confronted and combined with practices of non-intervention and discharge, leaving some migrants stranded in their legal, spatial or existential impasses and forms of immobility. The

fragmentation of migrants' patterns and *life-time* is eminently produced through the disruption of mechanisms that actually aim at hampering people's movements. At the same time, it is presented as a source of a smooth governmentality that selects, allocates and distributes people in space. Ultimately, the indefinite stalemate of migrants' lives is a tangible effect of a way of governing through nongovernment. In this way, in the place of a substantive definition of governmentality involving a strong commitment to rationalities of government, Foucault's definition of government – 'an action upon an action, on existing actions or on those which may arise in the present or the future actions' (Foucault, 1982: 789) – makes possible not to force it in the direction of a model of an overwhelming and smooth migration management. Also, it allows us to take into account modalities of regulation that work by dumping and stranding people but that, at the same time, have concrete effects on the possibility of others' actions in the fragmentation of life's time they produce.

Returning to Foucault's displacement of the binary inclusion/exclusion, it could be suggested that, along with the implications illustrated above, this displacement activates a fundamental reversal of the gaze that, as I will show, leads us to the theories of the autonomy of migration.[9] In fact, a disengagement from the code of exclusion primarily engenders a radical turn of the analytical standpoint, since reading the government of mobility through the lens of exclusion/inclusion means assuming the order of citizenship as the given space against which any form of 'irregular' mobility is confronted. The refusal to adopt such a citizen's gaze allows us to look at practices of mobility as movements that induce what Nicholas De Genova calls 'reaction formations' – namely, strategies and techniques of capture that try to contain, filter and tame those troubling mobilities (De Genova, 2013). Thus, to speak of practices of movement in terms of migration and government is already a form of translation and a way of encoding 'irregular' mobility into the order of citizenship, as an abnormal and disturbing factor, a deviation from it. In other words, the *unbearableness* of irregular mobility relies precisely on the adoption of the standpoint of the state and citizen, that makes us see practices of movement as instabilities to be channelled or capitalized upon as labour force. Instead, as Dimitris Papadopoulos points out, reflecting on the practices of flight that characterized the epoch of the rise of capitalism, 'the singularities that composed the escaping, wandering mob were very far from the humanist individual emerging at the same moment across Europe [...] collectivities that defined the

core of radical struggles for emancipation' (Papadopoulos, 2010). And, recalling closely the analysis of Moulier-Boutang on the emergence of the regime of wage labour, he continues by saying that 'many of the scattered, disorganised, ephemeral, insurgent movements of people exiting feudal labour in so many different locales and geographies, continents and seas were not to enter into the capitalist humanist regime of the labour market but to escape into a journey that allowed them to create common worlds' (Papadopoulos, 2010).

Therefore, such a reversal of the gaze on migration refracts on a similar discordant gaze on the history of capital-labour relations, where mobility turns out to be at the very junction of the struggle field around freedom and property. If the government of mobility should be read as a means of controlling productivity, this latter must in turn be understood as the containment of freedom. In fact, as Foucault also indicated presenting control over mobility as a way for governing conducts and bodies against practices of freedom and flight, Moulier-Boutang emphasizes that 'freedom is essentially the freedom to escape the land of the landlord and, at the same time and immediately, the wage labour' (Mouliar-Boutang, 2002: 272). In this way, we see that Foucault's insight on the increasing controls over mobility in capitalist society and the recent theories on the autonomy of migration enable us to also challenge the current securitarian rationality that sustains the legitimacy of the government of migration. Moreover, if migration controls are conceived as a strategy for containing freedom, it follows that the question on the failure of migration policies in reducing the number of migrants is wrongly framed. The illegalization of certain forms of mobility and techniques of surveillance 'engender an acceleration of the processes of mobility' and 'in order to escape sanctions [populations] tend to conduct an irregular life and fall into nomadism' (Moulier-Boutang, 2002: 195). Therefore, beyond any government of borders and numbers, we see that the government of mobility is first and foremost a technology for managing populations and conducts itself through the containment of freedom.

From this perspective, it becomes clear why, as Foucault stresses, the criminal and the vagabond collapse into the figure of the dangerous individual: the uncontrolled mobile subject who tries to escape the norms of society and the regime of productivity and who forces power to negotiate and reassess the mechanisms of exploitation and to invent new strategies of control. But beyond that, 'irregular' mobility has been seen by governments and states since the late eighteenth century as the troubling element of the existing political ontology. Indeed, although

governmental actors frame migration in terms of mere geographic dislocation, practices of movement as resistances to societal normativity are also transformative forces producing and altering spaces. 'Migration is not the evacuation of a place and the occupation of a different one, it is the making and remaking of one's own life on the scenery of the world [...] its target is not relocation but the active transformation of social space' (Papadopoulos and Tsianos, 2007).

Repositioning the autonomy in migration in the light of migrants' practices of freedom

Yet, what cannot pass unnoticed is that all these irregular mobilities are defined by Foucault as practices of flight, resistance and refusal. This definition is important in order not to overrate or misunderstand the notion of autonomy of migration as conceived by the abovementioned authors and which emerges indirectly also in Foucault's analyses on the punitive society. Indeed, the term 'autonomy' does not refer, I would suggest, to a supposed autonomous subject able to sidestep and exceed the mazes of power, norms and economic exploitation through a free and insurgent act of migration. On the one hand, such a description would contribute to fostering an image of migrants as heroic or revolutionary subjects. On the other hand, it would overlook both the impact of geopolitical and non-geopolitical borders on migrants' lives and the anticipatory moves and strategies of capture that today characterize migration governmentality. Moreover, since regulated human mobility is one of the main conditions for the functioning of capitalism, migration as such is far from being a revolutionary practice in itself. As Mezzadra aptly puts it, 'there is no capitalism without migration, one could say, with the regime that attempts to control or tame the mobility of labour playing a strategic role in the constitution of capitalism and class relations' (Mezzadra, 2011). From a Foucaultian point of view, it is important to find the specific moments and contexts in which some practices of migration have effectively troubled the order of the politics of mobility. Therefore, the vantage point of the autonomy of migration, as introduced by Foucault in his account of the disciplining of mobility, exists on the cusp of a historical and punctual analysis and a general statement. From an empirical point of view, only sometimes does migration really interrupt or disrupt the order of mobility; but it remains that the very existence of a migration regime is itself a set of responsive strategies to practices of freedom that try escape economic or social captures (Revel, 2008).[10]

Instead, resistances and acts of refusal as migration movements are always practices of freedom to escape and struggle with existing economic and social dispositives. This is the reason why more than reading it in temporal terms – practices of mobility anticipate power's mechanisms – the perspective of the autonomy of migration should be better posited as a vantage point through which to look at the functioning and at the transformations of the migration regime. Migration policies, techniques of surveillance and strategies of patrolling represent the most visible and tangible elements of the multifaceted, frantic attempt to bridle mobility and turn it into a value. And the excess that some migrations enact, in relation to the given configuration of power, should not be seen as an ontological primacy but, rather, as a practice of freedom against the existing machines of capture and the moral geographies governing migration population. Ultimately, the political and troubling character of (some) practices of migration emerges just as far as migration is taken as a specific kind of social relation and in its imbrication in a certain struggle field. Thus, it is less migrant labour force as such that is highlighted in Foucault's analysis as a troubling factor than the strategies of resistance and the practices of freedom enacted by people refusing the government over conducts and bodies. It follows that by reading practices of movement not exclusively as a subtraction from control but, in a broader way, as dissidences and resistances to the moral, economic and political government over lives allows going beyond the juridical paradigm and finally 'cutting off the king's head' (Foucault, 1998). The critique of the binary exclusion/inclusion code goes in hand with the displacement of the centrality of law with its sorting function – tracing the boundaries of irregularity: 'the struggle against coercion is not the same than overcoming the prohibition [...]. To enact a transgression means making the law unreal and powerless, for a moment, in a certain place and for one person; becoming dissident is to attack this coercion' (Foucault, 2013: 116) and, we can add, to enact a practice of freedom that is discordant, non-representable into the existing cartography of the political.

Recalling Foucault's definition of practices of simulation in the field of psychiatry and medicalization as the very 'underside of psychiatric power rather than epistemological problem' (Foucault, 2006: 268), a similar dislocating move could be suggested in relation to movements. Indeed, (some) practices of unauthorized mobility are nothing but the troubling underside of mechanisms of capture over people's life and time. Migration categories ultimately aim to discipline bodies and conducts in spaces, more and beyond them into juridical profiles.

Notes

1. I want to thank Nicholas De Genova, Sandro Mezzadra and William Walters for their comments on this chapter and for our fruitful discussions on these themes.
2. Indeed, according to Foucault, critique is an attitude that 'does not consist in saying that things aren't good the way they are. It consists in seeing on what types of assumptions, of familiar notions, of established, unexamined ways of thinking the accepted practices are based [...]. Understood in this sense, criticism is utterly indispensable for any transformation' (Foucault, 2002b: 456–7).
3. In fact, according to Foucault, the problem is how to articulate the critique of the technologies of profiling with a possible struggle against them.
4. The functional continuum between the prison and other social institutions of 'sequestration', as Foucault puts it, is given also by the techniques of control on and through the time. In fact, the prison-form and the salary-form share the sequestration of people's time. 'As one gives a salary which corresponds to the time of labour, conversely one takes the time of freedom as the price to pay for an infraction [...] what emerges with through these two forms is the introduction of time into the system of capitalist power and into the penal system' (Foucault, 2013: 72–3).
5. 'The penitentiary is actually a phenomenon that is much larger than the imprisonment and it is a general dimension of all social controls' (Foucault, 2013: 104).
6. The excess is determined mainly in relation to the economic necessity (of labour force) and to the political function of illegalism: when, for economic or political reasons, certain forms of illegalism become counter-productive, they start to be sanctioned and banished, and they are framed as immoral conducts. While tolerated (and necessary), illegalisms are only object of a juridical sanction that is then not enforced – as they are tolerated – 'excessive' illegalisms are instead entrapped in a moral-juridical double that present them as dangerous and squanderer conducts. But in both cases, as Foucault stresses, what is at stake is a quite anomalous juridical sanction: actually, these irregularities are not infractions, since 'given the necessary freedom of labour market, it's impossible to organize the juridical system in a way that [all these irregularities] can become infractions. Therefore this illegalism spreads at an infra-legal level' (Foucault, 2013: 196).
7. Henceforth, all translations from *La Société Punitive* are mine.
8. Framing mobility in terms of 'government of the mob' allows, I contend, a re-politicization of that term. In fact, 'mobility' has become a buzzword and a paradigm that nowadays is more and more used to indicate free movements, and it is often employed in opposition to 'migration'. On the contrary, the expression 'government of the mob' stresses the disciplinary function of the politics of mobility and that also alleged free movements are actually channelled and bridled on the basis of labour regimes and on the basis of the mechanisms of production of social differences.
9. As Sandro Mezzadra points out, 'to engage with the autonomy of migration thus requires a 'different sensibility', a different gaze [...]. The autonomy of migration approach in this regard needs to be understood as a distinct perspective from which to view the 'politics of mobility' – one that emphasizes the subjective stakes within the struggles and clashes that materially constitute the field of such a politics (Mezzadra, 2011).

10. As Judith Revel explains, such a conception of power relations entails also a reformulation of the notion of resistance in terms of 'productive asymmetry': 'Power is at the same time always genitive, managing, parasitical, and always a reaction, whereas on the other hand the free action of men is primary, inventive, and given as an action. It is in so far as men invent and open possibilities that power relations can proceed with the capture of this opening. Or, rather, it is precisely in this differentiation – between a production and a reproduction, an action and a reaction, a creation and a management, that I see the dissymmetry' (Revel, 2008).

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Part IV
Politics of Truth

11

Environmentality and Colonial Biopolitics: Towards a Postcolonial Genealogy of Environmental Subjectivities

Orazio Irrera

Development, Common-Pool Resources, Environmentality

One of the most interesting uses of the Foucauldian toolbox in the last two decades is the famous genealogical inquiry of Arturo Escobar concerning the discursive formation as well as the political technologies tied to the paradigm of development (Escobar, 1995; Mezzadra et al., 2013). Drawing attention to the historical conditions under which the discourse of development arose after the Second World War, Escobar stresses the importance of the particular regime of economical truth that makes many countries appear as 'underdeveloped areas' or 'Third World'– that is, a large and homogenized range of *abnormalities* which, henceforth, would become a sensible field of intervention through a multiplicity of governmental technologies. As he puts it,

> Without examining development as discourse we cannot understand the systematic ways in which the Western developed countries have been able to manage and control and, in many ways, even create the Third World politically, economically, sociologically and culturally; and that although underdevelopment is a very real historical formation, it has given rise to a series of practices (promoted by the discourses of the West) which constitute one of the most powerful mechanisms for insuring domination over the Third World today. (Escobar, 1984: 384)

However, Escobar points out that it is not possible to understand the nexus between knowledge and governmental technologies without taking into account a wide spectrum of resistances that have enabled the formation of counter-discourses as well as the emergence of new forms of political subjectivities. Thus, in order to undertake a genealogy of development, we have to articulate three levels: (1) the internal structure of a scientific domain of knowledge with all its related mechanisms of *véridiction*; (2) the set of procedures and technologies of government as well as its objects, its aims and the institutions and actors who enact them; (3) the strategies of resistance as well as the political counter-subjectivations insofar as ruled or dominated subjects are able to both break the order of power and knowledge and shape relatively autonomous forms of political and social auto-organization based on a more effective participation of disadvantaged people.

In the face of the ongoing obsolescence of the developmental paradigm implemented by states and certain international organizations (such as the World Bank or the International Monetary Fund) and sustained by market-orientated policies, a more participatory and decentralized form of political technology – going also beyond the dichotomy between public and private system of propriety and management – stems from the analysis of Common-Pool Resources and Common propriety. 'Commons' is a general term used to denote shared resources in which each stakeholder has an equal interest. Studies on the commons include the information commons focusing on issues surrounding public knowledge, the public domain, open science and the free exchange of ideas – all issues that are at the core of a direct democracy. Common-pool resources (CPRs) are natural or human-made resources where one person's use subtracts from another's use and where it is often necessary, but difficult and costly, to exclude other users outside the group from using the resources (Ostrom, 1990). To date, the majority of research on CPRs has been in the areas of fisheries, forests, grazing systems, wildlife, water resources, irrigation systems, agriculture, land tenure and use, social organization and global commons (climate change, air pollution, transboundary disputes, etc.). There is a growing corpus of work on 'new' or 'nontraditional' commons, which focuses on urban commons (apartment buildings, parking spaces, playgrounds, and so on), the Internet, the electro-magnetic spectrum, genetic data, budgets, etc.

These resources have long been subjected to overexploitation and misuse by individuals acting in their own best interest. Conventional solutions typically involve either centralized governmental regulation

or the privatization of resources. But, according to Elinor Ostrom, there is a third approach to resolving the problem of the commons: the design of durable cooperative institutions, organized and governed by the resource users themselves. The main focus of problematization of this institutional perspective concerns 'how a group of principals who are in an interdependent situation can organize and govern themselves to obtain continuing joint benefits when all face temptations to free-ride, shirk, or otherwise act opportunistically' (Ostrom, 1990: 29).

Having provided a brief outline above to the issues of development, the commons and global resources, I would like to explore two relevant questions: is it possible to use a Foucauldian grid in order to provide a deeper historical understanding of the emergence of these forms of governmental technology concerning CPRs as well as to the related political subjectivities? Secondly, is it possible to explain how institutional arrangements based on common ownership and management stem historically from a series of struggles and negotiations between government and resistances?

To carry out this form of analysis, I will focus on the question of the management of an important environmental resource that has provoked a series of conflicts concerning its use and access. Here, I am referring to forests, and I will consider in particular the case of the sub-Himalayan forests in India, specifically those of the Uttarkhand State with its two divisions, Kumaon and Garhwal. However, in contradistinction to a developmental paradigm, questioning the intricate relationship between government and resistances entails examining the shift from intensive exploitation (characteristic of the colonial period) to a series of political technologies which, in a postcolonial age, aims to manage this kind of resource through a decentralization of decisional processes. These processes concern the sets of rules that define the access, use, exclusion, management, monitoring, sanctioning and arbitration behaviour of users with respect to the forests. Over the last two decades, an increasing number of studies have been carried out which, through the analysis of monitoring and enforcing costs, demonstrate how decentralization towards collective community-based management turns out to be more efficient than private forms of ownership and management or centralized government management (Agrawal, 1996).

This process of devolution towards communities has already been considered from a Foucauldian perspective in order to explain the rise of new forms of political *environmental subjectivities*. For this very purpose,

Arun Agrawal has developed the notion of *environmentality*, defining it as:

> a framework of understanding in which technologies of self and power are involved in the creation of new subjectivities concerned about environment. There is always a gap between effort by subjects to fashion themselves anew and technologies of power that institutional design seek to consolidate. The realization of particular environmental subjectivities that take place within this gap is *as contingent as it is political*. Indeed, it is the recognition of *contingency* that makes it possible to introduce the register of the political in thinking about the creation of the subject. (Agrawal, 2005b: 166, emphasis mine; Agrawal, 2005a: 7)

I believe that in order to radically grasp this historical contingency we have to go back to the conditions of emergence of this kind of management as an event related, on the one hand, to the notion of *milieu* analysed by Foucault with regard to the eighteenth-century European governmentality:

> [The milieu] is what is needed to account for action at a distance of one body on another. It is therefore the medium of an action and the element in which it circulates. It is therefore the problem of circulation and causality that is at stake in this notion of milieu [...]. The milieu is a set of natural givens – rivers, marshes, hills – and a set of artificial givens – an agglomeration of individuals, of houses, etcetera. The milieu is a certain number of combined, overall effects bearing on all who live in it. It is an element in which a circular link is produced between effects and causes, since an effect from one point of view will be a cause from another [...]. What one tries to reach through this milieu, is precisely the conjunction of a series of events produced by these individuals, populations, and groups, and quasi natural events which occur around them. (Foucault, 2007: 36–7)

On the other hand, the historical contingence of the rise of environmentality also refers to the emergence of a worldwide environmental stage at the time of the great expansion of colonial empires in the nineteenth century. Therefore, this historical contingence needs to be linked with colonial genealogy in which scientific discourses, governmental technologies and political resistances about environment finally come to define the field of problematization and governmental

intervention named 'environmentality'. This is why, following Agrawal's ethnographic inquiry, I would like to concentrate on colonial governmentality by sketching out an environmental genealogy focused on the intertwining between colonial environmental technologies and the struggles to resist them put into place by peasants. Indeed, it is only in the light of this colonial genealogy of ecological struggles that it becomes possible to understand the rise of new environmental subjectivities and the CPR's management in our postcolonial present.

Indian environmental genealogy: colonial governmentality and scientific forestry

Thus, it is important not simply to provide an outline of the history of political technologies concerning the access and the use of the forests in sub-Himalayan regions, but also to work through this history in order to set out the Foucauldian challenges. Nonetheless, in order to accomplish this goal, it is worth recalling that a genealogical perspective must show a relative analytical autonomy of the relationships between knowledge, power and subjectivities from the master Marxist narration of capitalistic accumulation – especially since many historical and sociological studies on social protests about sub-Himalayan forests are often framed through a Marxist analytical framework. This is why, although the former (for example, the relationships among knowledge, power and subjectivities) have to be concretely studied in relation to the mechanisms of economic exploitation, these are not merely the 'terminal' manifestation of the latter (for example, the Marxist narration of capitalistic accumulation).

In other words, power relations turn out to be immanent to other types of relations, such as economic ones, since they are the result of the imbalance of the latter – and, at the same time, constitute the basis of their transformation. In any case, they cannot be defined as purely superstructural, but they have a directly productive role of their own (Foucault, 2003; Balibar, 1989). From this point of view, a Foucauldian approach meets *political ecology* insofar as, according to Joan Martinez Alier, it can be defined as the study of the ecological distribution of conflicts (Martinez Alier, 2002), around which – as Foucault puts it – genealogy constitutes 'a meticulous rediscovery of struggles and the raw memory of fights' (Foucault, 2003: 8).

I would like to start this environmental genealogy from 1864 when Britain, after emerging as the world leader in deforestation, as a result

of the devastation of its own woods and the forests of its colonies, set up the Imperial Forest Department with the explicit aim of assessing the intensive deforestation of the past decades. This purpose required the introduction of legal mechanisms to assert and safeguard state control – or, rather, its monopoly – over forests, curtailing the previously unregulated access enjoyed by rural communities. Madhav Gadgil and Ramachandra Guha argued that the creation of an appropriate department marked a qualitative shift in colonial perceptions of the strategic value of forests due to its initial attempts at providing a comprehensive piece of legislation – that is, the Indian Forest Acts (respectively in 1865 and 1878) that would in time serve as a model for forest legislation in other British colonies (Gadgil and Guha, 1992).

This discontinuity in colonial governmentality also presupposed the development of a particular domain of scientific disciplines focused not on the life of the human species but on the life of the kingdom of *Plantae* (with a wide range of sub-disciplines as forestry, botany, phytopathology, and so on). Associated with the discipline was a new set of professionalized figures, beginning with a set of experts brought in from Germany for this purpose. By way of example, we might allude here briefly to the role of Dietrich Brandis and his students.[1]

This scientific domain of knowledge pertaining to forestry allowed the Forest Department to introduce a series of brutal environmental manipulations which favoured the production and regeneration of strong and durable timber species such as salt, teak, deodar and chir pine which could be used for railways sleepers (at that time, the Indian railway network was rapidly expanding) and for oleo-resin production (Guha, 1989: 43–7). All this was to the detriment of the oaks and the other broad-leaved species that were more valuable for hill agriculture and constituted part of the ecological equilibrium implied in the customary ways in the lives of local populations.

These interventions that featured what Alfred Crosby named 'ecological imperialism' (Crosby, 1986) caused an alteration of ecological succession. This alteration refers to the long-term process of change to natural vegetation communities. The community of plants in an area largely determines, for example, which kind of animal life will be part of that community. In other words, these manipulations caused a real disjunction between the natural trend of ecological succession, whereby the oak constituted the so-called climatic stage (the farthest step towards a type of vegetation adapted to plentiful water supply which the locality is capable to support) and the imperatives of commercial forestry which fostered the extension of conifers.

This type of scientific forest management based on state monopoly was brought into effect due to the Indian Forest Acts of 1865 and 1878, which distributed the responsibility of forest management among different governmental agencies (mainly the Forest Department and the Revenue Department), classified the forests and reserved large areas to commercially valuable species, and which defined (1) a set of forest offences, (2) a range of prohibited acts (especially in the Reserved Forests) and (3) a system of fines to apply for each type of violation of the established act.

As Agrawal points out, for the hill residents of Kumaon and Garhwal, who relied on a mixture of livestock rearing and agriculture, these new rules (1) entailed a set of strong restrictions on customary rights of lopping trees for fodder or fuel wood, (2) prevented villagers from exercising grazing rights, (3) restricted the use of non-timber forest products, (4) prohibited the extension of cultivation, (5) enhanced the labour extracted from the villagers, (6) increased the number of forest guards, (7) banned the annual practice of burning the forest floor for a fresh crop of grass and (8) obligated the villagers both to warn authorities of illegal fires and to collaborate with forest officials in order to extinguish them (Agrawal, 1996).

The emergence of political subjectivities: towards an ethnography of resistance from *dhandak* to 'planned incendiarism'

From a Foucauldian perspective, we should draw attention to the materiality of the practices of these villagers that these specific intersections of power and knowledge, colonial governmentality and scientific forestry are attempting to shape in order to maximize the process of capital accumulation. Thus, colonial environmental governmentality emerges in this way as a 'conduct of conducts', setting up processes of normalization in order to determine which conducts are permitted and which ones are not (Foucault, 2000). These conducts concerned the customary ways of life, regulating the ecological exchanges between a local rural population and natural resources. This is the focus of an analysis of power relations aimed at showing how scientific discourse and various governmental technologies clash with a series of local knowledges and social practices comprising what Foucault has referred to as 'subjected knowledges' (Foucault, 2003). In the wake of the seminal research of Philippe Descola (Descola and Palsson, 1996), Arturo Escobar again reminds us that

> nature exists only in a dense universe of collective representations that at once grounds different ways of doing things with/around nature. Succinctly put many communities in the world signify their natural environment, and then use it, in ways that markedly contrast with the more commonly accepting ways of seeing nature as a resource external to humans and which humans can appropriate in any way they see fit. Not only economic factors and ecological conditions, but cultural meanings, define the practices that determine how nature is appropriated and utilized. (Escobar, 2006: 9)

Consequently, it becomes impossible to speak about nature without considering the historical and cultural criteria separating what is true, good and right about it and what is false, wrong and unfair. These criteria define different Foucauldian 'regimes of truth' (Foucault, 2012: 91–9) with regard to nature. The Western colonial regime of truth is one based on scientific criteria aimed at manipulating nature in order to assure the exploitation of ecological resources for commercial goals. This form of technical mastery of nature with its specific regime of truth produces a normalizing effect that regulates the relationship between the ecological environment and the material and immaterial existence of individuals. Since this kind of normalization was translated into a colonial biopolitics, it came to clash with indigenous regimes of truth about nature. The latter hinges on other forms of living relationships with nature and environment with its ethical and political forms of existence in which knowledge of local environment and cultural meanings (religious, political, and so on) are strictly embedded. Indeed, under colonization these different ways of understanding, appropriating and utilizing nature provide specific strategic resources in order to resist the colonial normative order.

It is by framing this conceptual and methodological scene, it seems to me, that we are able to get a better understanding of what Foucault called 'the insurrection of subjugated knowledges' and can subsequently apply this analytical tool to the forms of resistance that the hill residents of Kumaon and Garhwal bring into existence. After all, without considering these sorts of resistances, the internal transformations of both scientific forestry and political environmental technologies also turn out to be less perspicuous. However, we should avoid reading this reactivation of 'local knowledges' as something homogeneous and always unchanging; on the contrary, we should focus on the strategic discontinuities in the trajectory of social protests of the Himalayan peasants in relation to the progressive and increasingly invasive enforcement of the

colonial order. Thus, the reactivation of popular knowledges comes to appear as both strategic and modular.

In Ramachandra Guha's very relevant study on social protest in the Himalayas, he stresses sharply the importance of a shift concerning the forms and strategies of resistance (1989). During an initial period, starting from the 1878 Forest Act, villagers were limited to the expression of non-collaborative attitudes against the attempts of colonial officials to enforce forest rules. For this reason, Guha uses the notions of 'everyday forms of peasant resistance' and of 'weapons of the weak' employed by James Scott (1986) and that of 'avoidance protest' used by Michael Adas (1981) in order to envisage a series of non-confrontational strategies of resistance 'including foot-dragging, false compliance, feigned ignorance, migration, breaches of the law, and social appeals to "*customs*"' (Guha, 1989: 126).

These practices were codified by an ancient customary idiom of social protest called *dhandak*, which draws its legitimacy from tradition and does not seek to overthrow the existing social order. Apart from the aforementioned everyday practices of resistance, even when the rebellion was manifest, it was usually addressed to corrupt or incompetent officials who had failed to observe the traditional limits of their power. These mechanisms of protest worked as a safety valve that allowed the periodic and constructive release of discontent. Guha also argues that the source of authority of this covenant between ruler and ruled hinged on the divine kinship of the rulers, a quality peculiar to many traditional chiefdoms and monarchies. This relationship between ruler and ruled subjects was marked by a patriarchal style of domination orientated to justice and the protection of subjects (Guha, 1989: 89–90). An important and distinctive characteristic of *dhandak* was the absence of physical violence: the peasants preferred the temporary abandon of work in order to claim their rights through demonstrative actions, such as marches to the capital where masses gathered around a shrine or demanded audience with the king (Guha, 1989: 67–9).

Guha notes that around 1910–1911, since the draconian rules enacted by the Forest Act were strictly enforced, villagers tended to discard the aforementioned weapons of the weak 'in favour of more open and confrontational forms of protest: attacks on channels of communication, on state buildings, and most frequently on commercial forests and resin depots' (Guha, 1989: 126). One of these practices gained great importance for the colonial authorities: the practice of setting fire to commercial forests. This strategic reinscription of a traditional practice (the annual practice of burning the forest floor for a fresh crop of grass)

in a new idiom of protest was based on the large and detailed environmental knowledge of local mountains and valleys.

In the dry years of 1916 and 1921, the colonial surveillance system was thrown seriously into crisis due to a huge number of widespread fires, a phenomenon that the authorities called 'planned incendiarism' and that massively damaged commercial timber production and resin extraction, irremediably compromising the regeneration planning adopted by the Forest Department. Unable to respond with force, the colonial government of Kumaon was compelled to set up the Kumaon Forest Grievances Committee in 1921 to examine the continuing protests of villagers. After having examined more than five thousand witnesses, the committee gave the government a list of recommendations that the latter enacted especially in relation to two points: (1) de-reserving the larger part of the newly created Reserved Forests between 1911 and 1917; (2) creating community forests to be managed under a broad set of rules framed by government, but for which villagers themselves could craft specific rules for everyday use according to local conditions.

Indeed, the 1931 Forest *Panchayat* Rules sanctioned the emergence of rural communities as political subjectivities able to provide forms of self-government in relation to environmental management. This bundle of rules was then modified only twice, in 1971 and 1976, constituting the ground for the majority of the current systems of common-pool resource management. By sketching out a Foucauldian perspective on the ethnography of resistance, it is possible to outline how the shifts within the idiom of protest affect not only the colonial political technologies by introducing a Forest Grievance Committee and the Forest Councils Act, but also the scientific domain of forestry by stimulating important new measures for fire protection which are operative even today (Guha, 1989: 53).

Foucauldian perspectives on ethical and political dimensions of resistance

In this final section, I would like to revisit a very important question raised by Guha concerning how to 'explain the transition from custom to confrontation in the social history of protest' (Guha, 1989: 127). It seems to me that he identifies two important points: (1) The incapacity of colonial officials to fully decode the idiom of the peasant protest – that is, that *dhandak* idiom that did not aim to overthrow the social and political order: this incapacity urged colonial authorities to answer through the use of force and intransigence against the claims of protest.

The result of this attitude has been a radical change in the peasant perception both of the overlord and of the paternalistic subjection/protection covenant between ruled and ruler that was a defining characteristic of the early native kings. (2) The need felt by the peasants for 'a moral/religious sanction for their acts' (Guha, 1989: 117) affirmed by the active role of religious figures in the protest and by the fact that villagers often gathered to demonstrate around a shrine or a holy place.

Ramachandra Guha does not completely relate these points to each other, and thus, in order to provide some answers to his above-mentioned question, his theoretical and methodological framework of analysis drives him to refer mainly to the important but problematic notion for the Subaltern Studies Collective of 'peasant consciousness' (Guha, 1983; Spivak, 1986). He frames this notion through a composite interpretative grid hinging, on the one hand on the concept of 'moral economy' of the peasant (Thompson ,1971; Scott, 1976; Fassin, 2009) and, on the other hand, on a Weberian approach to the sociology of domination (Guha, 1989: 1–8).

I believe that this framework, although it constitutes a remarkable perspective for studies on resistance, might be better implemented with recourse to a Foucauldian mode of analysis, placing the two aforementioned points into closer proximity in order to provide a more articulated answer to Guha's question. Starting from these points, we can see how – in the transition from customary to confrontational strategies of resistance – the source of power appeared delegitimized, and thereby, the villagers faced the problem of creating other forms of power relations and collective subjectivation in order to codify their discontent and their claims. In other words, this situation entailed the need of what Ernesto Laclau has called 'chain of equivalence' that results by shaping contingent political forms of subjectivity in function of a wide and differentiated set of protest claims (Laclau, 2000 and 2005). This notion, it seems to me, might be very useful to approach the question of the emergence of a *new* idiom of resistance.

Nonetheless, faced with this kind of problem, on the one hand, the notion of 'moral economy' seems to provide only the possibility of translating the need of new power configurations, as well as related forms of resistance, into an archaic idiom of tradition. Now, it is exactly this possibility that is denied here, and consequently, although we are in a moment of political contingency, it appears to be quite problematic to explain the emergence of *new* forms of political subjectivation in this way. In other words, if we accept that the villagers' aspirations to reacquire their customary rights to the access and use of forests could

be framed through the notion of moral economy, then, moral economy seems unable to explain (1) the strategic trajectory of the practices of resistance within different configurations of power stemming from the struggles with colonial governmental authorities and (2) the loss of the customary perception of the divine overlord to the extent that customary ways of *making manifest one's discontent* are no longer feasible in this context.

On the other hand, by defining the notion of 'legitimation' (*Geltung*) based on the probability that rules turn out be concretely observed, the Weberian approach to the sociology of domination and resistance brings out the thorny problem of a sociology of action that is entirely pragmatic and, by definition, excludes from its field of problematization the question of subjectivation (Weber, 1968: 8–12). To provide an example taken from a very relevant study of James Scott, this approach does not seem fully able to explain how it is possible to transform the 'hidden transcripts' (a non-confrontational kind of resistance) into the 'public transcript' (a manifest discourse of protest), and it doesn't seem fully able to explain how a new form of political subjectivity could emerge from this passage as a result of a series of political struggles led through new strategies of resistance (Scott, 1990).

Thus, framing this scene, I will proceed to explain how Foucault's reflections in the two last lectures at the Collège de France might contribute to our interpretative grid in order to provide more complex genealogical depth to Guha's question. In these lectures Foucault focuses on Greek *parrhesia* – the courage of truth-telling – and then he examines the historical configuration of an important isomorphism between the government of the self and the government of others (Foucault, 2010). In this isomorphism, the forms of ethical elaboration of the self make the individual *bios* a surface of emergence of a regime of truth that ties ethics and politics together through the ability to courageously put his own life into play and to show other forms of individual and political existence. Stressing the importance of the ancient Cynics, Foucault goes further: he indicates how the nexus between the courageous and dangerous manifestation of truth, on the one hand, and the form one gives to one's own existence, on the other, hinges on the capacity to break out of commonly accepted power relations and the regimes of truth in order to display the possibility of a political transformation of the given order (Foucault, 2011).

I believe that the contingency into which the discontinuity between custom and confrontation indicated by Guha is folded produces in a

sense something akin to the chain of equivalence. Nonetheless, unlike Laclau's and Mouffe's notion, the collective subjectivation here does not seem to presuppose a moral weakness, but on the contrary, it entails a different political framework. Within this field of historical contingence, different ways of conceiving of political subjectivation (as particular relationship between manifestation of truth and forms to give to the ethical and political existence) competing or partially overlap. Therefore, if colonization could be considered as a movement through which individuals are subjugated through colonial mechanisms of power that adhere to a *truth*, then we might name *decolonizing alethurgy*[2] the movement through which an individual gives himself or herself the right to challenge truth (a colonial regime of truth) on its effects of power as well as to question colonial power on its discourses of truth (Irrera, 2013; Renault, 2012). Therefore, in order to understand the decolonizing forms of political transformation able to affect relations of colonial power as well as the colonial regimes of truth based on a classical Western understanding of the human – and in our case also environmental – sciences, we can use the notion of 'decolonizing alethurgy' in order to designate forms of subjectivation that, through a decolonizing regime of truth able to place the ethics into the politics, oppose the colonial link between power and truth.

Thus, a Foucauldian analysis of complex and diversified leadership formations within the peasant social protest might shed light on how the constitution of a new form of political subjectivity (with its own strategies of resistance and its own environmental regime of truth) was related to the ability *of the ethical and political figuration* showed and offered by its leaders. Therefore, the decolonizing alethurgy enacted here by the leaders of peasant protests seems very different to the Weberian notion of 'charismatic authority' since decolonizing alethurgy hinges more on a continuous work of ethico-political elaboration of oneself rather than on personal or temperamental qualities).

In this way, we need to return to the discontinuities at stake in the idiom of peasant social protest, reconsidering the role played by religious leaders, by ex-soldiers – Guha outlined the importance of the involvement of ex-soldiers that were fierily distinguished in the First World War – or by the *Kumaon Parishad*, a nationalist association mainly composed of lawyers, journalists and activists. Thanks to these same interpretative insights, we might also reread the history of the successive *Chipko* Movement as framing the competing 'discursive strategies' of the *Chipko* leaders, studied extensively by Haripriya Rangan, within

the wider context of a genealogy of the relationships between (environmental) truth manifestation and forms of existence (Rangan, 2000).

I would like to conclude by noting how in bringing decolonizing alethurgy into play, we might also go further in relation to the current paradigm of governmentality studies interested more in technologies of power and less in resistance and ethic-political subjectivation. Using these last Foucauldian reflections, we might return to the initial assumptions of Arun Agrawal concerning the gap between technologies of power enacted and consolidated by governmental interventions and the work of the self upon oneself in order to elaborate new forms of subjectivity (environmental subjectivity). Within this gap, as contingent as it is political, the act of recognizing the historical contingency means introducing the ethical constitution of the self into the register of the political in order to think about the creation of the environmental subjectivities.

By promoting the study of the genealogy of environmentality in its historical contingence as colonial event, we intend to open further possibilities with Foucault but also beyond Foucault, to analyse and criticize the current issues concerning environmental history. More generally, dealing with environmentality in this way proposes that discursive proliferation about the commons and the resource management (as CPRs) could be better understood if we are able to recognize the emergence of these discourses and governmental technologies in terms of their historical contingence. Finally, questioning this contingence from our postcolonial present means to attempt to understand genealogically the multiplicity of struggles and resistances, from which these discourses and practices have stemmed as global events appearing for the first time at nineteenth century on the world stage of colonial empires. This is why, today, one of the most interesting challenges concerning the use of Foucauldian toolbox consists in the arduous task of expanding its genealogical analysis of European biopolitics to a wider field, that of a colonial biopolitics.

Notes

1. Sir Dietrich Brandis, (1824–1907) was the most important German forester who worked with the British Imperial Forestry Service in colonial India. He is considered the father of tropical forestry. He influenced the forestry movement in the United States by mentoring Gifford Pinchot, Henry Graves, others who came to study with him in Germany, and others through his voluminous correspondence with many other men such as Charles Sprague Sargent and Franklin Hough involved in establishing the US national forest system.

2. This notion has been coined with Matthieu Reanult in the frame of the seminar we have been holding since 2012 at the Collège International de Philosophie and at the Université Paris-Est Créteil, see. http://decolonisationsavoirs.wordpress.com/.

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12

Pierre Hadot and Michel Foucault on Spiritual Exercises: Transforming the Self, Transforming the Present

Laura Cremonesi

In the last few years, the concept of 'spiritual exercises' has been placed at the core of an interesting philosophical debate, developed especially in contemporary French philosophy. This debate pivots on a possible refashioning of our moral thought (Davidson, 1995, 1997; Laugier, 2010). The specificity of this reflection consists in the way in which it connects an ancient practice to our present and effects a reconceptualization of spiritual exercises in order to elaborate a contemporary ethics. This renewal of moral philosophy strongly diverges from the traditional French reflection on ethics. Indeed, French philosophers such as Emmauel Lévinas, Jacques Derrida and Paul Ricœur (Lévinas 1968; Derrida and Dufourmantelle, 2000; Ricœur, 1992) developed an ethics rooted in the concept of the 'priority of the other'. Instead, this new moral reflection revolves around the concept of the 'self' and its starting point is a work of self-transformation, in which the concept of 'other' plays a very limited role.

This chapter aims to analyse two different ways of reconceptualizing spiritual exercises for rethinking the horizon of French moral philosophy: these are reflections made by Pierre Hadot and Michel Foucault. Firstly, I will consider Hadot, who coined the concept of spiritual exercises with the primary purpose of gaining a better understanding of the ancient world; then I will focus on Foucault, who started with this concept and transformed it in terms of the contiguous notion of 'techniques of the self'. The chapter will take into account Hadot's and Foucault's different political and philosophical paths, which led them

to study and reactualize spiritual exercises. In fact, some divergences in their theoretical and political backgrounds are crucial in explaining significant differences in their reinterpretations of spiritual exercises and in the moral philosophy they elaborate. One of the main arguments of this chapter is that Hadot and Foucault did not intend to translate directly and uncritically the ancient practice of spiritual exercises into our present; rather, they both suggested a useful redefinition, allowing us to enact today a renewed practice of the self. In conclusion, this chapter will underline some relevant differences between Hadot's and Foucault's thoughts concerning the relation between spiritual exercises, power relations and subjectivation. Hadot and Foucault were led to study the ancient world and its practices via two different paths. Pierre Hadot had a solid theological background, as he studied at the Grand Séminaire de Reims, pursued philosophical studies partially under the tutelage of Jean Wahl and developed a particular interest in existentialism, thanks to his acquaintance with Gabriel Marcel. Afterwards he switched to a more historical-philological work under the guidance of Paul Henry, beginning his research with a critical edition of the work of Marius Victorinus.[1] Foucault's philosophical background is certainly better known: sympathetic to Marxism and structuralism at first, he then rapidly abandoned both and pursued his own original thought as can already be seen in his early works, which cannot be categorized according to any philosophical school.[2]

The similar historical and philosophical context has certainly made the account of spiritual exercises proposed by Foucault and Hadot very similar in many aspects. It is worth noting that the reading of Foucault owes much to Hadot. Foucault explicitly states that he began to spot the presence of spiritual exercises in the ancient world thanks to Hadot's works. However, the difference in the philosophical routes followed by the two authors resulted in two markedly different interpretations of the spiritual exercises due to their dissimilar philosophical orientation and also to their different theoretical aims. This chapter takes as its focus both the similarities and differences present in Hadot's and Foucault's interpretations of spiritual exercises. The goal here is to investigate the significance, if any, that the accounts of spiritual exercises provided by Hadot and Foucault might have for the ways of dealing with philosophy.

Pierre Hadot

The concept of spiritual exercises was introduced by Hadot in 1977, in an article entitled 'Spiritual Exercises' (Hadot, 1995a).[3] In conversations

Hadot clearly explained how this work had a twofold starting point, philosophical and a historical-philological. This twofold starting point reflects Hadot's joint background, which was both historical-philological and philosophical.[4]

From a more philological point of view, the main concern was related to the very nature of the ancient philosophical texts. Hadot stated that his studies were led by the need to reach a better understanding of the ancient texts, which would enable him to better comprehend their nature. If ancient texts seem to present several inconsistencies and contradictions, that is because they're read through a modern philosophical lens, and thus they're conceived of in terms of a complete exposition of systematic theories. But, as Hadot suggests, in order to restore their original signification and their coherence, ancient texts should be located in their historical and social context, where they played a specific role. Rather than forming a systematic construction, they formed part of a pedagogic practice, aiming at gradually leading the interlocutor down a certain path, modifying not only his way of thinking but also his way of living and of being (Hadot, 1995a). Indeed, in Hadot's opinion, when philosophy emerged in the Western world with the figure of Socrates, it was originally and radically connected with life, and it was meant as a practice to help men orientate their way of conducting themselves and modify their vision of things. In a way, we can say that for Hadot philosophy, in its original vocation, was a way of life that one could freely decide to follow.[5] The idea that philosophical texts were connected to a way of life takes us to the second reason that led Hadot to formulate the notion of 'spiritual exercise', which is grounded on his philosophical orientation.

Since the beginning of his philosophical career, Hadot had been attracted by a kind of philosophy which was directly connected with life itself and the way of conducting it, instead of constituting an abstract construction of theories. Before shifting his attention to classical studies, he located traces of this kind of philosophy in twentieth-century thought – partially in existentialism and particularly in the work of Henry Bergson. According to Hadot, in Bergson's thought it is possible to identify a clear way of conceiving of philosophy as a choice and as a transformation in one's perception of reality (Hadot, 2009: 121–44). Nevertheless, it is in Ancient Greek and Roman thought that Hadot finds the roots of this conception of philosophy as a path leading to a specific way of life. In the ancient world, this philosophical route was gradual and strewn with 'exercises' whose traces are identifiable in most of the ancient philosophical texts and which find their best definition in the expression 'spiritual exercises'.

Despite their great doctrinal differences, the Hellenistic and Roman philosophical schools agreed on the same vision of the aim and role of philosophy. Philosophical teaching was meant to help the individual to turn from a way of life dominated by passions, fears and absence of freedom and serenity to a more authentic one. This change had the characteristics of a true and proper conversion, which implied a deep transformation of perspective and a way of being for the individual. It was a passage from a partial vision of the world dominated by passions to a more universal one where the individual raised himself to a rational and objective point of view (Hadot 1995a). This change could be obtained and maintained due to the constant practice of certain exercises such as, for instance, the deep assimilation of a rule of life [*kanon*] which could help the individual in reaching and maintaining a universal perspective. For the Stoics, for instance, the rule of life consisted in the distinction between what depended on the will and freedom of man – in respect to his moral actions – and what did not depend on it. Anything not dependent upon it is without value and should thus be accepted in its entirety as part of the rational universe.

In order to keep this vision alive, it is necessary to maintain full and constant attention on the present moment, in order to evaluate at every single instant what depends on oneself and what, instead, should be accepted with serenity. This inner attitude, according to which the individual makes an effort to keep this point of view, causes a rising to a different perspective that leads to a vision of the world under the light of the universal reason which, according to the Stoics, rules the cosmos. Through such effort, men can partially take part in it. The acceptance of every single instant as part of the universe animated by reason leads to the comprehension of the inestimable value of the present and, consequently, to the appraisal of only those joys and inalterable serenity which human beings can experience.

Although the conceptual basis might differ, the change of perspective which causes a transformation in the way of being and living is the aim of every philosophical school. Hadot locates a change of perspective in Socrates, where the Greek philosopher invites Athenian citizens to pay attention to themselves, in the Platonic dialogues, in the Epicurean schools as well as in Plotinus. The work of Marcus Aurelius' Meditations acquires coherence when it is interpreted as a collection of exercises aimed at helping the author to gain and maintain the correct vision of the world in the most difficult of situations.[6] Rereading ancient theoretical systems within the framework of ancient thought enables

us to re-evaluate them in terms, according to Hadot, of an element able to guide the philosopher's way of being and to shape his vision of the world. Physics, for instance, could be practised as the most important spiritual exercise in terms of achieving a change of perspective and raising the soul towards a universal vision of things (Hadot 1995b).

It is now possible then to understand the importance of the concept of spiritual exercises in order to attain an accurate and philological reading of the classical thought. Thanks to this concept, Hadot renews the interpretation of the philosophical texts which can now be read under a new light, identifying in them the elements of the practice of the spiritual exercises. From this perspective, they acquire a new inner coherence as they are understood in the light of their role and of their function as elements of a philosophical practice connected with the way of life. Hadot also renews our perception of ancient philosophy which now appears to us in its original and true vocation as an instrument for orientating people in their way of life and guiding them towards a conversion of their way of being and perceiving.

Michel Foucault

This interpretation of the ancient philosophy and texts developed by Hadot deeply influenced the work of Michel Foucault, who, as is well known, developed an interest in the ancient world towards the end of the 1970s, in almost the same period when Hadot published *Spiritual Exercises*. Foucault's starting point was not the same as Hadot's, here. He wasn't directed by historical-philological concerns but by genealogy.[7] As is well known, Foucault's historical method is the result of his concern for the present. Genealogy aims at tracing the emergence of the apparatus of power and knowledge which characterize our present moment. His interest in the ancient world is no exception here and should be located within this historical-philosophical perspective.

While the aim here is not to offer an exhaustive overview of Foucault's interpretation of the ancient world, now widely read and discussed thanks to the gradual publication of his last courses at the Collège de France, it is useful, nevertheless, to acknowledge two main trajectories in these readings, corresponding to two interwoven genealogies. The first trajectory corresponds to the research Foucault dedicated to the experience of the *aphrodisia* in the Ancient Greek and Roman world and which he dealt with in the second and third volumes of *The History of Sexuality* (Foucault, 1992 and 1990). Such research can be read as a

genealogy of the subject of desire and modern sexuality. In these texts, Foucault locates the point of emergence of the subject of desire in early Christianity, not the ancient world. The Ancient Greek and Roman worlds did not have the same experience of sexuality since pleasure and desire were positioned within a different configuration of power and knowledge.

Alongside his history of sexuality, Foucault also studied the ancient world from another point of view, closer to Pierre Hadot's perspective. In his last courses at the Collège de France (Foucault, 2005, 2010 and 2012) Foucault analyses a number of practices which can be brought together using the concept of 'care of the self' through which individuals in the Hellenistic, Ancient Greek and Roman worlds strived to modify their way of being. The similarity to Hadot's analysis is evident: spiritual exercises, a main characteristic of ancient philosophy, are read by Foucault as common practices diffuse within ancient society, found not only in philosophy but also in the concomitant fields of ethics and medicine. Foucault shares with Hadot the idea that, through these exercises, an individual could have a proper and true conversion in his way of being, way of living and vision of the world. According to Foucault, though, the impact of these practices is further reaching. They are to be considered as techniques able to not only effect a change in one's life and attitude but also act upon the very forms of ancient subjectivity. What for Hadot were spiritual exercises, for Foucault are 'techniques of the self' as their field of action is directly the self's relationship to itself.

It is here that we find the second genealogy underpinning Foucault's interpretation of the ancient works. At stake is the history of the modern subject and of the modes of constitution of subjectivity.[8] In this way, he gives a historical and genealogical consistency to his theoretical assertions on the nature of the subject. As is well known, Foucault repeatedly refused the essential and transcendental nature of the subject, looking at it in terms of a function, always produced differently according to the way in which the epistemic configurations change over time. Looking back at the ancient world, he focuses on the effective history of the modes of constitution of subjectivity, in its relation to power and knowledge. Therefore, he clearly and definitely interprets subjectivity as a form, as the self's relationship to the self, constantly modified by historical circumstances. Thus, for Foucault there are techniques dealing with the self which are historically created and historically modified, which, while they're closely related, differ from techniques of power

and knowledge. The specificity of the techniques of the self is clearly described by Foucault in a text called 'Techniques of the Self':

> We must understand that there are four major types of technologies [...]: technologies of production, which permit us to produce, transform or manipulate things; technologies of sign systems, which permit us to use signs, meanings, symbols, or signification; technologies of power, which determine the conduct of individuals and submit them to certain ends or domination [...]; technologies of the self, which permit individuals to effect by their own means or with the help of others a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality. (Foucault, 1988: 18)

These techniques are historical and for this reason it is possible to trace their genealogy. Thus, Foucault uncovers a kind of 'prehistory' of current techniques of subjectivation in early Christianity. He also locates in this historical period the emergence of the subject of desire and the production of various elements which characterize the modern apparatus of sexuality. So, Foucault was brought back to the ancient world by two different yet interlinked genealogies. Moreover, by involving new techniques of power and new practices of truth, the emergence of a new conception of desire produces a new form of subjectivity. Foucault seems to have been led to interpret the ancient world in terms of spiritual exercises by a genealogical concern, in the same way that Hadot was driven in this direction by a philological starting point. However, Foucault's interest in ancient techniques of the self also depends on a more strictly philosophical and ethical concern. In order to understand the origin of this philosophical and ethical concern, we should briefly revisit the features of Foucault's analytics of power, which he developed in the 1970s (Foucault 1977, 1998).

Many commentators have criticized Foucault for his conception of power, which seems to be unable to make room for any kind of voluntary action or reaction. In Foucault's account, relations of power seem to permeate the whole field of possibilities of action. In fact, by producing the current systems of knowledge and truth, they seem to abort every attempt to oppose power with a free, non-ideological and disinterested search for the truth. Moreover, since the eighteenth century, the disciplinary apparatus of knowledge and power produces what Foucault calls

a function of 'individualization'; this means that the 'individual', which classical political theory conceives as the elementary and primary entity of society, is nothing other than a result or an effect of power. And, since the 'individual' is fabricated by an apparatus of power, it becomes evident that he or she cannot be conceived as an inviolable nucleus which can be opposed to power. The idea of limiting power by way of the individual and their natural rights is, in Foucault's view, a political illusion that should be abandoned.

In his book on Foucault, Gilles Deleuze clearly outlines the philosophical and political effects involved in Foucault's conception of power. With reference to the first volume of *The History of Sexuality*, Deleuze writes:

> What happened during the fairly long silence following *The History of Sexuality*? Perhaps Foucault felt slightly uneasy about the book: had he not trapped himself within the concept of power relations? He himself put forward the following objection: 'That's is just like you, always with the same incapacity to cross the line, to pass over to the other side ... it is always the same choice, for the side of power, for what power says or of what it causes to be said.' [...] He might equally have added that the diffuse centres of power do not exist without points of resistance that are in some way primary; and that power does not take life as its objective without revealing or giving rise to a life that resists power; and finally that the force of the outside continues to disrupt the diagrams and turn them upside down. But what happens, on the other hand, if the transversal relations of resistance continue to become restratified, and to encounter or even construct knots of power? (Deleuze, 1988: 94)

In this striking passage, Deleuze brilliantly captures the moment in which Foucault realized the need to slightly modify the direction of his philosophical itinerary, and thus, Deleuze/Foucault opened up a new realm of analysis. Many commentators read this shift in Foucault's thought as a real turn. It cannot be denied that after the publication of the first volume of *The History of Sexuality* in 1976, Foucault definitively shifts his focus from the domain of modern history to the ancient world. However, I think that rather than radically changing the philosophical horizon of his research, Foucault simply widens his understanding of the concept of resistance. In his text, Deleuze suggests that Foucault's research on the ancient world and subjectivity can be understood as an attempt to 'cross the line' (Deleuze, 1988: 95) and to open up another

dimension besides the domain of power and knowledge. According to Deleuze, the reason why Foucault draws his attention to the modes of subjectivation is that this new dimension has great capacity for setting up resistance to power. Due to its relational nature, the field of subjectivity is open to a number of transformations and modifications, which enables it to always start again within the strategic field of power and knowledge.

Foucault's interest in this new dimension must surely therefore be read in relation to the issue of resistance. However, in my opinion, Deleuze misunderstands Foucault's purpose when he suggests that, in Foucault's account of the relationship between power and resistance, there's always a 'force of the outside' that 'continues to disrupt the diagrams' (Deleuze, 1988: 94). Foucault never states the existence of an 'outside' to power. The new realm of analysis opened up by Foucault must therefore be read as located entirely in the strategic field of power relations. Thus, subjectivation is understood by Foucault as a form of resistance to certain specific and historical power relations. Like all forms of resistance, it does not find a way out from the domain of power but rather acts by modifying and inverting the current relations of power. However, in this passage Deleuze aptly points out that the opening of a new realm of analysis emerges from the need, for Foucault, to 'cross the line' and to leave behind a too narrow and fixed conception of power. Here, I'd like to underline two aspects of Foucault's need to 'cross the line' at the end of the 1970s.

The first point concerns Foucault's uneasiness about the outcomes of his analytics of power. This uneasiness doesn't come from the fact that power doesn't offer ways out; the uneasiness instead emerges from the acknowledgement that this conception of power lacks the consideration of a significant dimension, that is, the dimension of subjectivity and techniques of the self. Since modern individualization is a historical effect of specific disciplinary techniques, it should be possible, as a consequence, to create different forms of action upon the way of being of individuals and to create new techniques of the self-acting towards different goals, in relation to other modes of knowledge and in a different relation to power. Thus, in Foucault's view, we could produce, by our own means, new techniques of subjectivation. But not only does Foucault suggest the potential constitution of new techniques: he also identifies a historical and concrete domain, the Ancient Greek and Roman worlds, in which a set of techniques of the self, dissimilar from disciplinary ones, has actually been developed.

The second point concerns the relationship between Foucault's analytics of power and the opening of this new space, constituted by the subjectivity and the techniques of the self. In a way, the possibility of opening this new realm of analysis is an implicit consequence of Foucault's relational conception of power. In 1976, in the first volume of *The History of Sexuality*, Foucault clearly stated that power takes effect in only a strategic field, that is, it is always permeated by some forms of resistance. In a well-known passage of *The Will to Knowledge*, Foucault writes:

> Where there is power, there is resistance and yet, or rather consequently, this resistance is never in a position of exteriority in relations to power. Should it be said that one is always 'inside' power, there is no 'escaping' it, there is no absolute outside where it is concerned, because one is subject to the law in any case? Or that, history being the ruse of reason, power is the ruse of history, always emerging the winner? This would be to misunderstand the strictly relational character of power relationships. Their existence depends on a multiplicity of points of resistance: these play the role of adversary, target, support, or handle in power relations. These points of resistance are present everywhere in the power network. (Foucault, 1998: 95)

This passage clearly shows that the space in which Foucault located his analysis of the techniques of the self was already implicit in its conception of power.[9] Therefore, in order to shift to the analysis of the techniques of the self, Foucault does not need to radically change his philosophical point of view but simply needs to widen his understanding of the way in which power acts. If power relations take effect on our way of constituting ourselves, this means that the constitution of the self can become a starting point for a resistance which inverts or modifies power's way of acting. So, it is in this space, implicit in Foucault's conception of power, that he locates the opening of this new realm of analysis, which revolves around a work that we can perform on ourselves, in order to modify our way of being and conduct. Consequently, this work on the self appears to Foucault as a response to the relations of power which, over the last two centuries, have given a specific form to modern subjectivity. From this point of view, a new economy of the techniques of the self could produce a new constitution of the self. This new constitution of the self is not 'outside' the field of power but, rather, consists of a response to the current techniques of power and to the history which led us towards our current way of being.

Thus, Foucault's interest in spiritual exercises arises from a twin concern which is genealogical and philosophical at the same time. He is led to the Ancient Greek *askesis* for two main reasons. His aim is to locate the moment in which the form of our current subjectivity emerges, but he also recognizes in the realm of techniques of the self a possible response to the way in which we are subjugated to a specific apparatus of power and knowledge. It is an ethical response, which assumes the voluntary choice of transforming the self as a philosophical and political task in order to resist current configurations of power.

Conclusion

From this overview of Foucault and Hadot's way of thinking about spiritual exercises, we can conclude that their interpretations of ancient exercises are both strictly linked to our present and, also, that they suggest a kind of reactivation of ancient experience. I'd like to conclude by analysing in more detail the way in which Hadot and Foucault have both produced, each in their own way, a reactivation of spiritual exercises. According to Hadot, there is a common thread running throughout the history of philosophy, from antiquity to the present day, in which philosophy is conceived and presented as a way of life. On several occasions, Hadot provides a long list of thinkers who have maintained this tradition: Montaigne, Goethe, Thoreau, Bergson, Heidegger, Merleau-Ponty and the existentialists. All of them conceived of philosophy as an *askesis*, as a series of exercises which involve a direct relationship between one's thought and one's own life.

This conception of philosophy has persisted, carrying with it an attitude which first emerged with Socrates. In Hadot's view, the nature of this attitude can be revealed by an attentive reading of ancient texts or texts belonging to this tradition. Moreover, the very reading of ancient texts is, in and by itself, already a spiritual exercise and a first step towards developing this particular attitude (Hadot 2010: 26–31). I have already described the attitude that we can gain in this exercise of reading which entails a difficult transformation of our vision of things, in order to reach a universal perspective. For Hadot, the present value of this attitude is self-explanatory and enjoys some kind of immediate relevance to existence. This perspective is clearly shown by the fact that, according to Hadot, this attitude and the ethical modification of our perspective is our only means of achieving scientific objectivity and of conducting an objective interpretation of the ancient texts. The fact that this objectivity is, indeed, an ethical

virtue is clearly stated by Hadot in a number of texts (Hadot, 2009: 61–74; Hadot, 2010: 28–30).

But, how can we reach and maintain this attitude and this universal perspective? What kind of exercises should we practice? Do we need to choose between Stoic exercises and Epicurean ones? And, if we practice Stoic and Epicurean exercises, does this mean that we must embrace the Stoic or Epicurean theoretical framework?

Hadot's answer to these questions is quite clear: in order to practice spiritual exercises, we do not need to adhere to any ancient philosophical school. This would be a dangerous form of anachronism and a misleading way of interpreting ancient philosophy. This fundamental spiritual attitude, which consists in attaining the universal perspective and in modifying our vision of things, is not necessarily linked to the Stoic philosophy or the Epicurean philosophy; it runs through a great part of occidental thought and in some literary and aesthetic experiences – in Goethe, Klee or Cézanne, for instance – (Hadot, 1995c). What Hadot suggests is to practice a kind of 'eclecticism' and to consider the ancient schools as useful laboratories, from which we can draw texts, practices or exercises (Hadot, 2010: 34; Hadot, 2009: 102–3). Most important for Hadot is the need to keep this practice alive as an experience which can teach us how to realize a transformation of our way of being, conducting and considering things, with the help of some exercises that we could practice autonomously and without any reference to an authority but in connection with a philosophical tradition. Here, one could object that, in his definition of this fundamental spiritual attitude, Hadot refers to Stoic concepts, such as universal reason and a Stoic way of conceiving of nature and necessity, which have little application within our own belief systems. In fact, for various reasons, it is difficult to extract spiritual exercises and their aim from the theoretical context in which they emerged and to separate them from the Stoic concept of universal reason. However, it is perhaps possible to maintain, independently from its historical and philosophical context, the idea of philosophy as a way of life and exercise, capable of modifying our way of being, conducting and existing. In this sense, philosophical activity could be understood as a way of elaborating an autonomous and non-prescriptive ethics. And that is exactly what this long philosophical tradition transmitted to us and the practical elements that Foucault found in the ancient world.

For Foucault, these spiritual exercises can be reactivated in the present, although it is not so evident how one can achieve this task. Without any doubt, Foucault is not interested in an attitude related to

the universal perspective; nor can he adhere to a conception of the self rooted in the concepts of authenticity and inauthenticity, which we can easily find in Hadot. From this point of view, Foucault seems more inclined to eradicate spiritual exercises from the theoretical context from which they emerged and yet to maintain the very idea of exercise, as an ethical practice of self-transformation. However, for Foucault, the goal of spiritual exercises that we can practice today bears not only an ethical dimension. This is the most relevant difference with respect to the way in which Foucault and Hadot re-actualize the practice of spiritual exercises.

From Hadot's perspective, spiritual exercises act upon the way of being of individuals and realize a modification of their whole personality. This constitutes a spiritual and ethical modification in which the political dimension is not directly involved. One could say that the virtue of scientific objectivity, that is, one of the goals of spiritual exercises, certainly has positive effects in the political realm. That there exists a relationship between the universal perspective and the political domain is clearly stated by Hadot in a number of passages of the conversations. But if we look at the examples given by Hadot, we can easily understand that the political benefit is always a secondary effect. In Hadot's account, the main goal of spiritual exercises is an ethical transformation of the self.

Instead, in Foucault's view, the political dimension is immediately linked to the field of the techniques of the self. As mentioned before, Foucault's interest in techniques of the self arises from a specific conception of power, and he forms a genealogy of the way in which we have been led to constitute ourselves as subjugated subjects, in relation to an apparatus of power and knowledge. Thus, the theoretical horizon on which Foucault locates his interpretation of spiritual exercises is above all and entirely a philosophical and political one. Moreover, for Foucault, today we can practice techniques of the self only as a voluntary choice of modifying or inverting some of the effects of power. In fact, the work upon the self is understood by Foucault as a form of resistance which, in order to produce a new economy of subjectivation, must involve, at the same time, an action of desubjectivation. The work upon the self is always rooted in a critical attitude towards power, which is both the effect and condition of the practice of self-transformation.

The goal of spiritual exercises is not only the transformation of the self by the self, but also entails a more general modification of the current configuration of power, knowledge and techniques of the self. Unlike Hadot, Foucault extracts spiritual exercises from their historical context

and maintains only the idea of an *askesis*, conceived as a political and ethical task of critique against power relations.

Notes

1. On Pierre Hadot's background, see Hadot, 2009.
2. On Michel Foucault's background, see Eribon, 1991 and Defert, 2001.
3. On spiritual exercises and, in general, on the philosophical aspects of Hadot's works, see Davidson, 1995 and Davidson, 1997.
4. On the relationship between Hadot's background and the concept of 'spiritual exercises', see Balaudé, 2010.
5. That ancient philosophy was not only animated by the concern for the way of life is clearly shown by Hadot, who underlines how for many ancient philosophers the concern for the construction of logoi was stronger than the care for the way of life. See Hadot, 2010.
6. On the correct way of reading *Meditations* by Marcus Aurelius, see Hadot, 1998.
7. On genealogy, see Foucault, 2000.
8. These two genealogies are strictly connected: in the two last volumes of *The History of Sexuality*, Foucault clearly shows the role played by techniques of the self in the constitution of *aphrodisia*.
9. On the relationship between these three domains (power, knowledge and techniques of the self), see Davidson, 1985 and Davidson, 1994.

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13

A Decolonizing Alethurgy: Fanon after Foucault[1]

Matthieu Renault

Introduction: decentring the culture of confession

In the inaugural speech of Michel Foucault's 1984 Lectures at the Collège de France, *The Courage of Truth*, he traces the process through which he came to problematize *parrhesia*. He explains why and how he replaced the question of 'epistemological structures' with that of 'alethurgic forms'; in other words, how he replaced the problem of truth and 'true discourse' with that of the 'production of truth' and 'the act by which it is manifested'. Foucault recounts his shift from an exploration of the practices and discourses of truth about the subject to a study of 'the discourse of truth which the subject is likely and able to speak about himself' (Foucault, 2011: 3) – hence, the attention paid by Foucault to a range of practices such as avowal, confession or the examination of conscience. This shift occurred in the first volume of *The History of Sexuality*, *The Will to Knowledge*: 'Since the Middle Ages at least, Western societies have established the confession as one of the main rituals we rely on for the production of truth' (Foucault, 1998: 58). Confession, spontaneous or extorted, 'became one of the West's most highly valued techniques for producing truth': 'Western man has become a confessing animal' (59). In each of these statements, Foucault precisely locates his object of inquiry as if, here more than elsewhere, he had to limit the (geographical) scope of his own discourse; as if the very practice and concept of 'confession' threatened to be confined to the West. The same applies to Foucault's 1981 Lectures at the Catholic University of Leuven, *Wrong-Doing, Truth-Telling* (*Mal faire, dire vrai*): 'If we consider only "our" societies – *the Christian Western societies* – it seems to me that we could, without too many speculations, speak of a massive growth of confession' (Foucault, 2013: 7, emphasis added).

In this regard, it is important to take into account the 'history of the present' in which Foucault's reflections on confession are embedded. This is in particular the history of the aftermath of the Algerian War which, through the systematic use of torture, had given rise to a literally monstrous growth of the practice of extorting confessions – which were not confined to colonialism in Algeria, as evidenced by the so-called Trial of the parliamentarians that took place in Madagascar after the insurrection of 29 March 1947 (Vidal-Naquet, 1972). However, below the limit-experience of torture, one can hypothesize that the daily mechanisms of colonial power themselves exhibited an authentic will for the colonized's confession and that confession was thus a crucial instrument of colonial subjection. The question is: can we speak of a colonial culture of confession? Answering this question does not involve scrutinizing confession in 'other' non-Western cultures; it rather involves decentring the Western culture of confession depicted by Foucault by considering it 'from its outside', from the perspective of its margins. Exploring colonial confession means engaging in the writing of a history of truth in the colonies. In this respect, in addition to the Foucauldian question of the historical production of truth, we have to raise the issue of its spatial and geopolitical localization: '*Where* is the truth?' Finally, studying colonial confession also means excavating forgotten practices of the 'decolonization of truth' or, to say it in Foucault's terms, exploring the production of a 'decolonizing alethurgy' (Irrera, 2013; Renault, 2012).

To start with, it is heuristic to compare Foucault with Frantz Fanon and, more precisely, to put Foucault's thought to the test of Fanon's relatively unknown reflections on confession as a central issue in the colonial conflict. Conversely, Foucault's concepts can be used as 'tools' for interpreting Fanon's notion of the 'production of truth' within an (anti)colonial context. In this respect, such a 'dialogue' is intended as a contribution to the already rich field of interpretation, appropriations and translations of Foucault's work from a postcolonial perspective.

The places of confession: an (anti)colonial alethurgy[2]

For Fanon, the history of truth in the colonies is a 'non-history' insofar as the colonial situation constitutes a freezing of the historical-dialectical process, a premature end of history. Truth is locked up in colonial Manichaeism. As Fanon argues in *Black Skin, White Masks*, the colonial (colonizing and colonized) consciousnesses are racial 'false consciousness': the truth that the colonizer 'offers' to the 'savage' is an 'all-white truth' (Fanon, 2008: 114), and falsehood is necessarily all-black. Subject

and predicate are substitutable: 'falsehood is black' means 'the black man is falsehood'; 'truth is white' means 'the white man is truth'. As in Sartre's *The Respectful Prostitute*, truth is nothing but a property (attribute and possession) of the white race (Sartre, 1989). However, opposing the movement of Negritude, Fanon refuses 'to pose the problem of black truth' (Fanon, 2008: 178). For him, undoing the identification of race and truth means instead challenging the politics of truth within the colonial context.

Fanon begins this task by shifting, in a Foucauldian manner, from the problem of truth to the problem of what he calls 'truth conducts'. Before him, Richard Wright had argued that, in the American racial situation, the black man's 'rule of conduct' was not to tell the truth to the white man but rather to play with truth and falsehood/lie in order to escape from the white man's anger:

> Even when a white man asked us an innocent question, some unconscious part of us would listen closely, not only to the obvious words, but also to the intonations of voice that indicated what kind of answer he wanted; and automatically, we would determine whether an affirmative or negative reply was expected, and we would answer, not in terms of objective truth, but in terms of what the white man wanted to hear. (Wright, 2002: 41)

Already in the nineteenth century, the issue of non-confession was at the heart of American slave narratives, as evidenced by this excerpt from Solomon Northup's *Twelve Years a Slave*: 'It is not safe to contradict a master, even by the assertion of truth' (Northup, 1855: 229).

In 1955, at the occasion of the 53rd French-Language Congress on Psychiatry and Neurology, Fanon presents a short paper entitled 'Conducts of Confession in North Africa'. Making a psychiatric determination, he argues, means 'discovering the truth of the act, which will be the basis of the truth of its author' (Fanon, 1975: 1115); but in colonial Algeria, the psychiatrist is faced with the accused native's systematic denial of the criminal act. Fanon then raises the following provocative question: like the colonial psychiatrists, should we not say that 'the North-African is a liar', that the 'race' he belongs to 'suffers from an inclination to lie, to conceal the truth, or is unable to differentiate the true from the false' (1116)? In this regard, the native is conceived of as a 'stranger to truth': either he is unable to discern the truth or he dissimulates it and lies. However, says Fanon, this argument 'removes the problem without resolving it'. In opposition to these statements, he

claims that it is necessary to bring into question the 'lived experience' [*le vécu*] of the act, 'the facts as seen by the accused'. For this reason, one has to replace the nosological approach by an existential approach – the very approach that Foucault was to adopt in his first book *Mental Illness and Personality*, before firmly rejecting it in his later research.

Understanding the denial of the criminal act implies analysing what Fanon calls the 'orchestration of the lie'; it involves breaking with the Manichean division between true and false: 'In any case, the liar himself is a being who constantly asks himself the question of truth' (Fanon, 1975: 1116). For Fanon, the real problem is that, for the colonized, truth-telling is equivalent to swearing allegiance to the colonizer and hence showing submission to him; for the colonized, the truth and the 'objectivity' of the colonizer are suspect by definition. Fanon writes in *The Wretched of the Earth*: 'For the colonized subject, objectivity is always directed against him' (2004: 50). In this regard, the confusion between true and false is not the consequence of any biological or constitutional weakness; this is a mechanism of defence – in a sense inspired by psychoanalysis – against colonial aggressions. Such a defence denial is not a logical negation: it reveals (unveils) the truth as much as it masks (veils) it. The colonized tells the truth by telling the false.

In *A Dying Colonialism*, Fanon refers to his seminal paper on confession and extends its implications beyond the judicial domain. He speaks of 'the overall attitude of the colonized who is hardly ever truthful before the colonizer. The colonized does not let on, does not confess himself, in the presence of the colonizer' (1994: 127). The colonized learns from the colonizer to be duplicitous, to hide his thoughts and desires. He builds 'psychological walls' between himself and the occupier. To put it differently, he develops the technique of lying: 'To the scandal of military occupation, he opposes a scandal of contact. Every contact between the occupied and the occupier is a falsehood' (43). Fanon also deals with confession when considering the question of torture: 'the most important consequence [of truth serum] has appeared to us to be a certain inability to distinguish the truth from the false' (138). He repeats a similar statement in *The Wretched of the Earth*: the use of 'truth serum' in order to extort the confessions of the 'Algerian patriots' is the cause of 'a basic indistinction between true and false. Everything is both true and false' (2004: 212). Although torture is a limit-experience, it unveils the subordination of truth and knowledge – in this case, medical knowledge – to the logic of colonial subjection: 'Science depoliticized, science in the service of man, is often inexistent in the colonies' (1994: 116). Conversely, Fanon argues that practices of decolonization should 'ensure

that all the untruths planted within [the colonized] by the oppressor are eliminated' (2004: 233). The politics of decolonization should be politics of truth.

Such a displacement translation, in the colonies, of the problem of confession is also the source of theoretical translations. Fanon reveals the existence of a genuine and original colonial quest for confession. Indeed, not only does the colonizer seek to impose his domination and to subdue the colonized body, but he also desires to conquer the colonized's mind, to penetrate into his consciousness and to obtain his consent to his own servitude. For the colonized, telling the truth (about oneself) should be equivalent to recognizing colonial truth, to endorse the truth of colonialism. Colonial confession should produce the identity of the colonized's subjection and subjectification. However, Fanon is not so much interested in the mechanisms of such a colonial power of confession as in the colonized's resistance (denial, dissimulation) to them. He does not problematize confession as such, but rather its negation, the refusal of confession, the colonized's disavowal (*désaveu*). For Fanon, providing an account of 'truth conducts' in the colonial situation implies analysing 'falsehood conducts'; the colonial alethurgy is inseparable from what we can call (by deleting the privative 'a' of 'alethurgy') an *anticolonial alethurgy*. The postcolonial politics of truth first emerges as a politics of falsehood; but, since this helps to unmask the 'colonial lie', falsehood is already an act of truth: the dissimulation of truth identifies with its very manifestation. Finally, Fanon never presupposes the existence of a 'hidden truth' retained by the colonized behind the mask of falsehood. During the stage of counter-confession (disavowal), the colonizer is entirely false to himself. For this reason, the issue of decolonization will also involve the question of the conditions of emergence of a discourse of truth concerning the colonized himself, the very question of his subjectification.

The dialectics of truth: a decolonizing alethurgy

Fanon reveals the mutation of the 'practices of truth' during the Algerian struggle for national liberation. Before the revolt, the colonized developed defence mechanisms based on a withdrawal into native 'values'. This 'culture of culture' reproduced the colonial division of true and false by inverting it. Such a 'counter-assimilation' offered itself as a global rejection of all the occupier's truths and values. Fanon is critical of this 'mechanical sense of detachment and mistrust' (Fanon, 1994: 117), which is the source of 'uncompromising, rigid,

static counter-proposals' (14). He argues furthermore that some of the European occupier's values would 'objectively be worth choosing' (63). Sometimes, the colonized is 'pushed in the name of truth and reason, to say yes to certain forms of presence of the occupier' (100). The dilemma lies in the fact that the colonizer's truth imposes itself as the truth of French colonialism in Algeria. In other words, the acknowledgement of the colonizer's truths by the colonized is understood by the former as a proof of the legitimacy of his domination: 'The truth objectively expressed is constantly vitiated by the lie of the colonial situation' (128).

With the beginning of the struggle for national liberation, 'the truth, for once, eluded its traditional trustees and placed itself within the reach of any seeker' (1994:101–2). In order to explain this mutation, Fanon relies on a dialectical (anti-Foucauldian) approach – which was inadequate for dealing with the colonial situation simply because this situation was determined by anti-dialectical Manichaeism, by a pure duality without any underlying unity, and hence without contradiction. The struggle, Fanon argues, produces a reversal of the colonized's attitudes towards the colonizer's 'gifts'. The uncompromising 'no' is replaced by a 'yes' that is no less radical. A 'dialectical progression' occurs, as evidenced by the colonized's massive appropriation of the radio (its 'domestication' or 'digestion' in Fanon's words), which was formerly rejected as a tool of the enemy and the medium of the colonial message. A 'war of sound waves' takes place and the colonial forces tirelessly seek to silence the broadcasts praising the Algerian revolution. But the 'power of the enemy sabotage', his will to muzzle the 'Voice of Algeria', revels, as a photographic negative, the intensity of the struggle. By trying to veil the colonized's voice, the colonizer unveils it:

> The 'truth' of the oppressor, formerly rejected as an absolute lie, was now countered by another, an acted truth. The occupier's lie thereby acquired greater reality, for it was now a menaced lie, put on the defensive. It was the defences of the occupier, his reactions, his resistances, that underscored the effectiveness of national action and made that action participate in a world of truth. The Algerian's reaction was no longer one of pained and desperate refusal. *Because it avowed its own uneasiness, the occupier's lie became a positive aspect of the nation's new truth.* (Fanon, 1994: 76)

This passage shows the complexity of a potential dialogue between Fanon and Foucault. On the one hand, Fanon argues that truth is acted out

and must be conceived in subjective and ethical terms: it is 'performative' and cannot predate the 'truth conducts' that produce it. However, this does not prevent Fanon from considering those conducts as stages in a dialectical process of truth's disclosure. However, for Fanon, what this 'dialectical progression' reveals is not the pure naked truth. Radio jamming has a profound impact on the process of listening and interpreting: the '*Voice of Fighting Algeria* soon became inaudible' (1994: 85); the interpretation of the message is, therefore, a 'task of reconstruction', and even an 'autonomous creation of information' (86). It is undoubtedly a 'distortion' of truth; but more importantly, it is 'the deliberate choice [...] between the enemy's congenital lie and the people's own lie, which suddenly acquired a dimension of truth' (87). It is a *true lie* that reveals the truth only by hiding it and hides it only by revealing. It is a spectral truth that is still embedded in fantasy. For Fanon, the emergence of a genuine postcolonial truth can be only the conclusion of a long-term process of decolonization of bodies and minds. However, how and when will such a postcolonial truth succeed in asserting itself, in separating itself from falsehood? In *The Wretched of the Earth*, Fanon writes:

> The question of truth must also be taken into consideration. For the people, only fellow nationals are ever owed the truth. No absolute truth, no discourse on the transparency of the soul can erode this position. In answer to the lie of the colonial situation, the colonized subject responds with a lie. Behavior toward fellow nationalists is open and honest, but strained and indecipherable toward the colonists. Truth is what hastens the dislocation of the colonial regime, what fosters the emergence of the nation. Truth is what protects the 'natives' and undoes the foreigners. In the colonial context there is no truthful behavior. And good is quite simply what hurts them most. (Fanon, 2004: 14)

Fanon's will for a radical rupture with Europe in *The Wretched of the Earth* therefore seems to involve an inversion, and hence a repetition, of colonial Manichaeism. The perfect balance between colonial violence and anticolonial counter-violence seems to strike at the same time further balance between the colonial lie and the anticolonial 'counter-lie', in such a way that any horizon of truth is foreclosed. Nonetheless, one must not forget that, for Fanon, counter-violence is only a stage in the process of 'true' decolonization. Although this process actually starts with a conversion *to* violence, the almost

animal insurrection of the beginnings must transform into a genuine political struggle for liberation. It must produce a conversion *of* violence into rationality. In the conclusion of the book, Fanon argues that true decolonization is both a total rupture and a renewal (*recommencement*); it is a radical separation that does not prevent but, on the contrary, implies the appropriation of the colonizer's 'gifts'. In this regard, this appropriation is not mere repetition; as Fanon puts it in *A Dying Colonialism*, it is a 'quasi-invention'. The same applies to truth: truth is not given, and it is not a question of unveiling it; rather, it needs to be made, to be (re)invented. Fanon gives rise to what can be called a *decolonial alethurgy*.

However, how do we accommodate the fact that such a history of truth in the colonies is conceived of by Fanon in dialectical terms. Like Hegel, Fanon calls for breaking the rigid opposition between true and false. Like Lukàcs, he conceives of 'false' as an 'aspect of the "true", as both "false" and "non-false"' (Lukàcs, 1979: xlvii); like Merleau-Ponty, he thinks of the combination of 'true' and 'false' (Merleau-Ponty, 1974); like Alexandre Kojève, he shows that truth is realized 'in time' and comes out of action (Kojève, 1980); like Trotsky, he argues that the lie is an instrument of war which is needed for the advent of a society without class-race and hence without the lie (Trotsky, 1942). Such a dialectical grounding locates Fanon's thought within an episteme from which Foucault will radically depart. Yet Fanon's singular combination of a dialectic of truth on the one hand, and an analysis of alethurgical forms on the other hand, cannot but remain a source of surprise as it challenges some epistemological breaks that have become commonplace. For example, unlike Foucault, Fanon does not care about the distinction between the 'political history of veridiction' and the (dialectical-Marxist) determination of 'the mechanisms of illusions or ideologies' (Foucault, 2013: 9). Similarly, 'epistemological structures' and 'alethurgical forms' are inextricably related in Fanon inasmuch as it is the analysis of the anticolonial conducts of truth-falsehood that leads him to raise the problem of the conditions of emergence of a genuine postcolonial discourse of truth. Finally, Fanon's writings reveal a certain hybridization of practices of liberation and practices of liberty, whereas Foucault – who precisely refers to the anticolonial struggles – conceives of liberation as the mere 'political and historical condition for a practice of liberty' that bears no relation with it (Foucault, 1987: 114). Rather than arguing that Fanon's dialectical thinking is nothing but a theoretical residue that needs to be expelled – which is Homi K. Bhabha's approach here (Bhabha, 2004) – one should consider seriously the dialectical *versus* alethurgical

tension that inhabits his thought. In other words, rather than seeking to locate Fanon in a predefined European intellectual history, one should consider how his 'gaze from the outside' (from the colonies) allows us to reassess this history by questioning, from a decentred perspective, epistemological breaks that are most often considered as being purely internal to the Western world.

The subject of confession: from the social contract to the race war

However, we have to acknowledge the fact that Fanon's early formulation of the question of truth-telling remains largely dependent on a psychiatric perspective, which, far from being alien to Foucault's investigations, is rather one of their most crucial objects. In this regard, Foucault allows us to understand that, even though Fanon was trained in 'institutional psychotherapy' and introduced revolutionary methods such as 'socialtherapy' in (colonial) Algeria and 'day hospitalization' in (independent) Tunisia, his psychotherapeutic practice, as Françoise Vergès argues, is still contained in the psychiatric institution (Vergès, 1996: 140). In his inaugural speech at the University of Leuven, Foucault says that he wishes to analyse confession from the perspective of the relations between 'truth-telling and judging' (Foucault, 2013: 11). In the subsequent lectures, he raises the question of the 'connection' or 'mutual contamination' throughout history of the subject of law and the subject of confession. In this respect, Fanon's identification of the 'truth of the act' with the 'truth of its author' is nothing but the conclusion of the gradual historical process of juridification of the conducts of confession. It is 'a huge mutation that produces a shift from a criminal judgment concerned with acts to a strange action whose object is a principle of rationality and measure, the manifested truth of the whole individual' (Foucault, 2013: 12).

Focusing on the introduction of psychiatric expertise in criminal affairs, Foucault argues that in a system governed by an 'appetite for confession', psychiatric expertise serves as a remedy in situations where confession is missing. It replaces the subject's 'self-verediction' by a 'hetero-verediction' that aims at unveiling 'the truth of the criminal that the criminal himself is not able to express'. Rather than the 'fact' of the crime, psychiatric expertise intends to disclose the 'meaning' its author gives to it: it intends to reveal 'a subjectivity, which has a significant relation to his crime: [...] a criminal subject' (Foucault, 2013: 211). Foucault's object of analysis here is the very theoretical and practical

standpoint of Fanon along with most of his contemporaries. We have showed that Fanon's writings constitute a precious tool for decentring Foucault's notion of confession; now we must add that, conversely, Foucault's writings reveal Fanon's intellectual and professional 'centration', his own Eurocentrism.

Nonetheless, Fanon displaces the question of (individual) confession towards political struggles for decolonization and conceives of disavowal as a practice of collective counter-subjectification. He seeks to liberate confession from its enmeshment in colonial psychiatric and juridical structures. Fanon's 1959–60 lectures at the University of Tunis exemplify such a political translation of confession: 'To confess means to confess to being part of one's own social group' (Fanon, 1960: 10). For Fanon, confession is two-fold: it is at the same time telling the truth about oneself and claiming belonging to a given community. Fanon had already made it plain in an unpublished version of 'Conducts of Confession in North Africa' that 'there is a moral dimension in confession [...], but there is also a civic dimension, and we know that this idea was dear to Hobbes and the philosophers of the social contract' (Fanon, 1955). Hence, the following question arises: 'does the native Muslim feel bound by a social contract? Does he feel excluded because of his fault? What will henceforth be, for him, the meaning of his crime, of the investigation and, finally, of the sanction?' According to Fanon – who is inspired by Bergson's reading of Dostoyevsky's *Crime and Punishment* – for the criminal, the confession of the crime is the 'ransom of his reintegration into the group' (Fanon, 1975: 1116).

Actually, Foucault also deals with this stage in the history of confession: in its modern form, 'confession is a reminder of the social pact; it is its restoration. [...] This confession is the first step of [the] reintegration [of the culprit] because, through confession, one recognizes that he broke the fundamental pact; but, by recognizing it, he makes the first step [...] towards his reintegration' (Foucault, 2013: 207). However, Fanon's conception remains profoundly original insofar as he considers the relation between confession and social contract in a context in which the very condition of possibility of this relation is negated: indeed, in the colonies, there is no and there never was any social contract between the colonizer and the colonized. There cannot be 'reintegration if there was no integration' (Fanon, 1975: 1116). In the colonies, confession is deprived of any function.

In Fanon's thought, the relation between confession and social contract is replaced by a connection between truth and race or, in other words, by the issue of racial politics of truth. Borrowing from Hobbes's

political anthropology, Fanon argues that the absence of any social contract between the colonizer and the colonized implies that 'colonialism is naked violence [*la violence à l'état de nature*] and only gives in when confronted to a greater violence' (Fanon, 2004: 23). For Fanon, colonialism is nothing but the negation of the political community and the return to the state of nature. The state of nature is no longer the age-old past of the political community; it is the very effect of colonial power; it is a 'becoming' rather than an origin. This refashioning of the Hobbesian schema of sovereignty – although Hobbes himself thought of the English Civil War as a form of re-enactment of the state of nature – is also a transgression. As Foucault states, it is a mistake to consider Hobbes as the founding theoretician of permanent war. In his 1975–6 lectures at the Collège de France, *Society Must be Defended*, he says: 'In Hobbes's state of primitive war, there is no blood and there are no corpses. There are presentations, manifestations, signs, emphatic expressions, wiles, and deceitful expressions; [...] we are not really involved in a war' (Foucault, 2003: 92); in contrast, Fanon deals with a very concrete and bloody war: the Algerian war. Moreover, while for Hobbes, as Foucault argues, war never plays a determining role in the genesis of the state, Fanon affirms that decolonization (beyond independence) involves a 'death-struggle' which will put an end to violence, by violence.

Fanon produces a discourse on Manichaeism, on the binary-internal division of the colonial world and the permanent antagonism between the colonizer and the colonized. He reproduces, so to speak, a 'race war' schema, which, according to Foucault, was opposed to the Hobbesian juridical schema. Indeed, Fanon's discourse is structured around the opposition between the natives and the foreigners: 'the colonist always remains a foreigner [...]. [He] is first and foremost the outsider from elsewhere, different from the indigenous population' (Fanon, 2004: 5). To repeat what Foucault says about the historians of the race war, Fanon attributes great importance to the brute 'psycho-physiological facts (physical strength, force, energy, [etc.])', as well as to the 'psychological and moral elements (courage, fear, scorn, hatred, [etc.])' (Foucault, 2003: 54–5). Finally, Fanon's discourse ceaselessly calls for a 'prophetic rupture' (Foucault, 2003: 71).

Such a 'return' to the schema of the race war has an eminently strategic function. Fanon does not defend a form of counter-racism. He rather subverts racism by returning to its very origins – that is to say, by refashioning a (racial) discourse that did not assign to race a fixed biological meaning and was unconcerned by the (racist) idea of the 'splitting of a

single race into a superrace and a subrace' (Foucault, 2003: 61). As Robert J. C. Young states, Fanon strategically reverses Marx's own reversal of racial explanation into class analysis (Young, 2001: 278). The colonizers do not form a class strictly speaking, but rather a 'ruling species': 'it becomes clear that what divides this world is first and foremost what species, what race one belongs to' (Fanon, 2004: 5). Fanon subverts the erroneously Darwinian-inspired notion – which was popular among colonial psychiatrists – of the biological-racial 'life struggle'. He thus rejects any conception of the 'social body' as a biological entity. To sum up, Fanon steals and transforms the enemy's (intellectual) weapons in order to turn racism against itself.

In conclusion, by recasting the binary opposition between antagonist races, Fanon appropriates a discourse in which the author necessarily belongs to one of the struggling groups, a discourse which, in Foucault's words, 'was essentially an instrument used in the struggles waged by decentered camps' – and will later 'be recentered and will become the discourse of power itself' (Foucault, 2003: 61), namely, the discourse of biological state racism. Problematizing the conflict of the colonial 'social races' thus means challenging the discourse of racism in which there can be only one (centred) subject of speech: the superrace talks about the subrace. Fanon's discourse enables the (re)appearance of another protagonist. It reintroduces the colonized not only as a subject of history, but also as the subject who tells this (counter-)history. For Fanon, such a 'telling' is a 'self-telling', and hence a 'self-representing'. This power of representation – dear to postcolonial theorists, from Edward Said to Gayatri Chakravorty Spivak, and which brings us back to Marx's *The Eighteenth Brumaire* – is the condition of the possibility of a 'truth discourse' of the postcolonized about himself, the condition of a *postcolonial confession*.

Notes

1. This paper is a revised and translated version of Renault, M. (2012) 'La confessione (anti)coloniale. Razza e verità nelle colonie: Fanon dopo Foucault', *materiali foucaultiani*, 1(2), pp.49–68. I thank the editors of *materiali foucaultiani* for having kindly authorized the reproduction of this essay.
2. This notion has been coined with Orazio Irrera in the frame of the seminar we have been holding since 2012 at the Collège International de Philosophie and at the Université Paris-Est Créteil. See http://decolonisationsavoirs.wordpress.com/.

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14

Ethics as Politics: Foucault, Hadot, Cavell and the Critique of Our Present

Daniele Lorenzini

In a couple of previous articles I have tried to show why it is possible, interesting and philosophically crucial to tie together the perspectives on ethics and politics developed by Pierre Hadot, Stanley Cavell and Michel Foucault (Lorenzini, 2010a; 2010b). These three thinkers have indeed in common the effort to consider ethics as a non-teleological and non-deontological field (Cavell, 1990: 46), and they allow us to explore the link between ethical subjectivation and a politics of resistance – which is, in my opinion, one of the most urgent challenges for contemporary philosophy as well as one of the most important stakes of our global present. More specifically, in this chapter I will argue that Foucault's, Hadot's and Cavell's perspectives on ethics and politics – or better, on ethics *as* politics – provide us with fundamental tools to conceive and practice philosophy as a 'critical attitude' (Foucault, 2007).[1]

During his 16 February 1983 lecture at the Collège de France, Foucault raises a very important question: 'What is the real of philosophy?' Analysing Plato's seventh letter, he answers that 'the real of philosophy is not, is no longer, anyway, is not merely *logos*' (Foucault, 2010: 227–8, translation modified). In fact, the seventh letter proves that Plato was not satisfied with his all too theoretical construction of the ideal city in the *Republic*. Such a theoretical construction could receive a meaning only thanks to a practical work: Plato had to try to realize it, to translate it into the concreteness of reality. But we must not conclude that the real of philosophy is simply the 'reality' of the external world, of the world of things as opposed to the world of thoughts. Foucault says something else: the real of philosophy is the 'test [*épreuve*] by which philosophy will manifest itself as real'. In the case of Plato, this *épreuve* is not to be found in the 'game intrinsic to the *logos* itself', but in the fact that philosophy

'addresses itself, can address itself, and has the courage to address itself to whoever it is who exercises power' (Foucault, 2010: 228, translation modified). Telling the truth to whoever it is who exercises power, thus risking one's own life – as Plato did, confronting Dionysius the tyrant of Syracuse – is the *épreuve* that every philosophical discourse has to face in order to become 'real'. Hence, at the very beginning of its (Western) history, philosophical discourse shows an intrinsic heteronomy: it is not self-sufficient; it does not find in itself the reason and justification for its own existence. On the contrary, today, philosophical discourse is (supposed to be) autonomous: philosophy is no longer a concrete attitude, a choice of existence, or an ascetic work of self-transformation, as it was in the Age of Antiquity (Hadot, 1995: 107–8, 270–1; Cavell, 2004: 237), but an institutional discipline to be taught, locked-up in the realm of theoretical abstraction, since an epistemological 'regime of truth' has been built based on the faith in the possibility of human reason to discover in itself the norms of its own functioning and the conclusive proof of its own reality (Foucault, 2012: 95–7).

The heteronomy of the ancient philosophical discourse, or better the supremacy of philosophical life over discourse in Antiquity, is the central thesis of every book written by Hadot. According to him, as well as to Foucault, the 'real' of ancient philosophy is the *bios philosophikos*, since even telling the truth to whoever it is who exercises power is made possible thanks to only a more fundamental attitude one has to assume towards his own life. Plato had the courage to risk his own life in order to tell the truth to the tyrant, and it is precisely the acceptance of such a risk – or, in other words, the construction of his life as the life of a truth-teller – that constitutes the first and main *épreuve* for Plato's theoretical discourse. Besides, in conceiving the philosophical life as the touchstone of the philosophical discourse, Foucault closely follows Hadot, who claims that, in ancient philosophy, theoretical discourse is never considered an end in itself but always clearly and decidedly put in the service of practice, that is, of a certain way of living and being (Hadot, 2002: 271, 364, 371). In the first lecture of *The Hermeneutics of the Subject* Foucault defines 'spirituality' as 'the search, practice and experience through which the subject carries out the necessary transformations on himself in order to have access to the truth' (Foucault, 2005: 15) or, as he says in a later interview, in order to have access 'to a certain mode of being' (Foucault, 1987: 125). Therefore, Foucault speaks of 'spirituality' when it is the life of the subject – not in its biological sense (*zoé*) but rather in its ethical, political and social sense (*bios*) – that represents the chief object of his care, as well as the real

stake of his work of transformation and transfiguration practised on himself.

To describe the peculiar relation established between *logos* and *bios*, discourse and life, in ancient philosophy, it is useful to introduce what I might call a twofold 'principle of harmony'. To explain what I mean by this expression, I will consider firstly the figure of Socrates and his practice of truth-telling as described by Foucault. In fact, the 'style of life', the 'form that one gives to life', constitutes the essential object of Socratic *parrhesia* (Foucault, 2011: 144): as Nicias explains, in the *Laches*, Socrates' interlocutor is always 'led by the Socratic *logos* into "giving an account" [...] of "himself, of the manner in which he now spends his days, and of the kind of life he has lived hitherto"' (Foucault, 2001a: 96). Giving an account of oneself means, then, according to Socrates, giving an account of the way one lives and, in order to do so, it involves 'submitting' one's life to a 'touchstone, a test, which enables one to distinguish between the good and bad one has done in life' (Foucault, 2011: 145). In this way, it is possible to examine and determine the true nature of the relation between one's words and one's life since Socrates asks his interlocutor precisely whether he is able to show the harmony between the rational discourse he uses and the way in which he lives. The touchstone with which to test such a harmony is constituted by Socrates himself, who, through his everyday way of living, even in its minutiae, manifests a perfectly harmonious relation between his words and his deeds.

> Socrates is able to use rational, ethically valuable, fine, and beautiful discourse; but unlike the sophist, he can use *parrhesia* and speak freely because what he says accords exactly with what he thinks, and what he thinks accords exactly with what he does. (Foucault, 2001a: 101)

Twofold principle of harmony: Socrates' thoughts accord exactly with his discourse, and his discourse (in turn) accords exactly with his way of living. These conditions are both necessary for Socrates' *parrhesia*, allowing him to speak frankly and to call into question the way of life of his fellow citizens – that is to say, the harmony between *logos* and *bios* has a value which is, at the same time, ethical and political. This was true for Foucault, who in 1983 claimed that what interested him was 'politics as an ethics', as a way of behaving and living: 'a demanding, prudent, "experimental" attitude is necessary', since 'at every moment, step by step, one must confront what one is thinking and saying with what one is doing, with what one is'. In other words, according to Foucault, 'the key to the personal political attitude of a philosopher is not to be

sought in his ideas, as if it could be deduced from them, but rather in his philosophy-as-life, in his philosophical life, his *ethos*' (Foucault, 1984c: 374–5, translation modified).

However, Plato's *Laches* is also 'the starting point for a whole philosophical practice and activity' that leads directly to Cynicism (Foucault, 2011: 128). As Foucault explains, the Cynic philosopher radicalizes the Socratic relation between *logos* and *bios*, building up his life in the form of a paradoxical and shocking transfiguration of the traditional philosophical life – that is, in the form of an 'other life' (*vie autre*) which continuously calls into question the lives of others using the weapon of a scandalous *bios*, instead of that of a parrhesiastic discourse (Foucault, 2011: 244–5, 269–70). Thus, with Cynicism, the 'nonconformist' dimension of the twofold principle of harmony breaks out, and the philosophical life fully becomes a 'manifestation of the truth' (Foucault, 2010: 343), which (again) does not take place in the realm of pure theory but takes place in the everyday life of the Cynic philosopher, through his body, his ordinary choices and acts as well as the way he ordinarily dresses, speaks and conducts himself (Foucault, 2011: 172). In order to transfigure his life into a manifestation of the truth, the Cynic philosopher undertakes an endless ethical work on himself, on his words and deeds, on every single detail of his existence: the Cynic manifestation of the truth consists precisely in the courageous, scandalous and public manifestation of the (extra)ordinary way of living of the Cynic philosopher.

Hence, Foucault presents Cynicism as the paradigm of a 'hyperbolic' form of resistance in which a specific ethical subjectivation assumes a clear political value since the Cynic philosopher is constantly engaged in a struggle against conventions, laws, and society as a whole: his life is a 'militant' practice of opposition to all established powers (Lorenzini, 2014: 248–52). The Cynic philosopher transfigures the everyday of his life, making it the site of a perpetual risk (the risk of truth-telling or, better, of truth-*living*) and the core of his radical criticism of every form of social conformity. As Foucault argues, Cynic (true) life is a form of 'explicit, intentional, and constant aggression directed at humanity in general', whose horizon or objective is to change it – 'to change its moral attitude (its *ethos*) but, at the same time and thereby, its customs, conventions, and ways of living' (Foucault, 2011: 280). So the *bios kunikos* is an aggression toward society and the world as they are, which tries to give rise to an 'other' society and to an 'other' world: Cynicism is the matrix of a form of life that does not aim merely 'to say and show what the world is in its truth', but also 'to show that the world will be able to reach its truth, will be able to transfigure itself and become other

in order to attain what it is in its truth, only at the price of a change, a complete alteration – the complete change and alteration in the relation one has to oneself' (Foucault, 2011: 315, translation modified).

Strikingly, it is possible to find the same framework described by Foucault and Hadot in relation to ancient philosophy also in the writings that Cavell devotes to moral perfectionism – since moral perfectionism cannot be understood in its philosophical, ethical and political dimensions unless we trace its tradition back to the Ancient Greek conception of philosophy as a way of life. It is not by chance that the fundamental question of ancient philosophy re-emerges right at the beginning of Emerson's essay, *Fate*, thus attesting to his 'perfectionist' will to take into account the importance of one's way of behaving and living. 'To me', writes Emerson, 'the question of the times resolved itself into a practical question of the conduct of life. How shall I live?' (Emerson, 1981b: 346). For Emerson as for Cavell every moral choice concerns the kind of life one is willing to live, and the meaning and value one is ready to attribute to it. Besides, the principle of harmony between *logos* and *bios* and the related theme of criticism and of the struggle against social conventions and conformity also play a crucial role in moral perfectionism: Emerson's 'self-reliance' is an attitude at once ethical and political, which does not consist in the (unlikely) discovery of 'the Self', but rather in the creation of a new relation of oneself to oneself, to others and society as a whole. This attitude is put into practice through a specific exercise of attention to the words one uses in ordinary life (Cavell, 2003: 193) and through a concrete 'self-transformation' that aims to attain 'the further or higher self of each' – which is a perpetual and never-to-be-concluded task (Cavell, 1990: 53). At the same time, this attitude is traversed by the contrast between imitation and – as John Stuart Mill would have said – the 'exercise of individuality' (Mill, 1985: 119–40): 'Insist on yourself; never imitate' is, indeed, the indispensable corollary of Emerson's self-reliance (Emerson, 1981a: 160). According to him, the fundamental task that thinking as an activity has to accomplish is a practical one, namely, the reversal of one's way of living and the perpetual struggle with (and within) the present, a struggle characterized by the tension between society 'as it stands' and society 'as it may become' (Cavell, 2004: 141). Such a tension is considered by Cavell an essential feature of moral perfectionism:

> The very conception of a divided self and a doubled world, providing a perspective of judgement upon the world as it is, measured against the world as it may be, tends to express disappointment with the

> world as it is, as the scene of human activity and prospects, and perhaps to lodge the demand or desire for a reform or transfiguration of the world. (Cavell, 2004: 2)

Thus, the political dimension of moral perfectionism becomes plain. As Sandra Laugier convincingly argues in her writings on the 'politics of the ordinary' (Laugier, 2010: 141–59), the question of democracy, according to Cavell, is the question of the (harmonious or dissonant) relation between one's own personal voice and political discourse. The perfectionist touchstone of this relation corresponds to one's capacity for taking responsibility for one's own voice, which is possible if and only if one is able to establish perfect harmony between one's voice and one's everyday life – in order to transfigure the latter and make it the highest practical example of the correct use of the former. Therefore, in moral perfectionism, conformity will also be overcome through ethical work on oneself and one's life which implies the establishment of a harmonious relation between *logos* and *bios*, as well as a critical relation with others and society as they are.

This is why we can conclude that Foucault, Hadot and Cavell all rely on an ancient conception of philosophy and share the same interest for a perspective in which the real of philosophy, the *épreuve* of its reality, is constituted by the philosopher's ordinary way of living, built up through an ethical work practised on himself that can be described as a spiritual exercise, as a technique of the self, or as a 'practice of the ordinary' (Cavell, 1989: 46–7). But this perspective is not of only 'historical' value, since – as Foucault shows in his writings of the seventies – it is precisely our everyday life that constitutes the target of modern and contemporary governmental powers and the main field of struggle between power relations and practices of resistance. Indeed, the three principal instances of the huge social form of power that emerged at the beginning of the nineteenth century (surveillance, discipline and normalization) have in common the same objective: the life of human beings, that is, the human existence in its materiality, in its corporeity and in all its various and ordinary dimensions – biological, social, cultural, and so on. Thus, our everyday life matters not only in an ethical but also in a political sense, and the work of oneself on oneself, applied even to the meanest details of one's words and deeds, today represents the fundamental core of every socio-political strategy of resistance that aims to be effective.

However, after having shown that it is possible to find a common ground upon which to compare the perspectives of Cavell, Foucault and Hadot on ethics and politics, the next stage is to highlight the different

'philosophical options' that they put forward and then to pose the delicate problem of the ethico-political value that each of these thinkers assigns to the renewal of the ancient idea of philosophy as a way of life.

The key to Hadot's interpretation of ancient philosophy is clearly located in the concept of 'spiritual exercise'. Spiritual exercises can be 'physical, as in dietary regimes, or discursive, as in dialogue and meditation, or intuitive, as in contemplation' (Hadot, 2004: 6). Their aim is 'a transformation of our vision of the world' and 'a metamorphosis of our personality', and their chief peculiarity is that, 'by means of them, the individual raises himself up to the life of the objective Spirit; that is to say, he re-places himself within the perspective of the Whole' (Hadot, 1995: 82). Hadot exemplifies this peculiarity mainly in his analyses of Stoicism, since the goal of Stoic philosophy was precisely to 'make possible, little by little, the inner transformation that is indispensable' in order to re-place oneself and each event 'within the perspective of universal nature' (Hadot, 1995: 83, translation modified); in other words, it was a matter of 'training to die to one's individuality and passions, in order to look at things from the perspective of universality and objectivity' (Hadot, 1995: 95). Therefore, according to Hadot, ancient philosophy is a spiritual exercise first and foremost because it is a metamorphosis of the subject resulting from and leading to 'a complete change of the point of view, a change that allows the individual to give up his partial and one-sided vision, and to open himself to universality, to the magnificent perspective of the *cosmos* and humanity' (Hadot, 2002: 210).

In his book on Goethe, Hadot singles out three fundamental features of spiritual exercises: the concentration on the present moment, the view from above and the 'Yes' to life and world (Hadot, 2008: 10–11). However, these three features are bound together and all rest, ultimately, on what I might call the 'universalizing jump' of the self into cosmic Reason. Firstly, to concentrate on the present moment, at the expense of the past and the future, means 'to re-place the present moment in the perspective of the *cosmos*', in order to acknowledge the 'infinite value of each instant of existence' (Hadot, 2008: 42). Such a valorization of the present is intimately linked to the theme of the view from above that allows us to see 'in a single glance, which means in a single moment, a huge set of things' (Hadot, 2008: 89): the view from above is an exercise of the imagination through which 'we figure that we look at things from a high point we have reached after elevating from the ground, usually thanks to a flight of the mind in the *cosmos*' that allows us to plunge 'into totality and even beyond totality, into infinity' (Hadot,

2008: 99). Finally, it is this very re-placement of the present moment in the perspective of the cosmic Whole, through the view from above, that justifies 'a "Yes" to the world and reality, even in its most atrocious aspects' (Hadot, 2008: 155). Hence, the universalizing jump of the subject, who transcends his individual self in order to plunge into the 'oceanic sentiment', into 'the sentiment of his belonging to the infinity of being' (Hadot, 2008: 251), constitutes the heart of every spiritual exercise in the Hadotian sense of the word. This makes Hadot's critique of Foucault's insistence on the care of the self – interpreted by the former as an ethics of the egoistic, narcissistic 'refolding' of the individual on himself – perfectly intelligible. Against Foucault, in fact, Hadot argues that the 'movement of interiorization', the 'movement of conversion toward the self', the focusing of one's own attention on oneself, constituted only a preliminary step in ancient spiritual exercises, whose true aim was to overcome the particular self, to transcend one's own individuality in the direction of cosmic universality: 'a new way of being-in-the-world, which consists in becoming aware of oneself as a part of Nature, and a portion of universal Reason' (Hadot, 1995: 211).

It is undeniable that Foucault never focused his attention on the universalizing jump of the self and that he never followed Hadot in suggesting that the 'best part' of oneself is a 'transcendent self' – and therefore, to take care of oneself means to elevate 'from individuality to universality' since 'the true self of each individual transcends the individual' in the direction of the cosmic Whole (Hadot, 1998a: 249–50). What interested Foucault in ancient philosophy was something else – something, nevertheless, completely different from a 'new form of Dandyism, late twentieth-century style' (Hadot, 1995: 211). The notion of 'aesthetics of existence', and even more explicitly the analyses of *parrhesia* and ancient Cynicism, clearly shows the political objective of Foucault's 'return to the Greeks': in the genealogical study of the ancient techniques of the self, Foucault found a new way to confront the problem of resistance – that is, the problem of ethical subjectivation as a form of resistance. However, given the importance Foucault acknowledges in the complex framework of personal and power relations in which every individual is involved, such a genealogical study has nothing to do with the constitution of an individualistic ethics. While Hadot's subject, thanks to spiritual exercises, opens himself up to universal Reason and says 'Yes' to the *cosmos* as it is, Foucault's subject, thanks to the techniques of the self, opens himself to society and says 'no' to every unreflected convention, to every power relation that he finds unacceptable. In other words,

the goal of Foucault's study of ancient philosophy is essentially critical, while Hadot's is not, or at least not directly, since the universalizing jump of the self in the universe can certainly imply some sort of criticism as a consequence, but it does not contain in itself any concrete or specific political attitude – it does not assure any translation of the ethical into the political. On the contrary, Foucault's ethics of the self, at least in the radical form it takes with Cynicism, is at the same time also a politics of resistance, of provocation and of scandal, which aims at using the work of oneself on oneself as a weapon for calling into question and refusing every social rule and every power relation unreflectively accepted, thus unmasking its contingency as well as its potential dangerousness.

Besides, already in 1971 Foucault outlines a sort of 'paradigm' of political resistance very close to a Cynic one: 'It is good to be dirty and bearded, to have long hair, to look like a girl when one is a boy (and vice-versa)', Foucault says, because we have to 'unmask our rituals', we have to 'put "into play", exhibit, transform and overturn' the systems that peacefully govern us, in order to make them appear as what they are – that is, as 'purely arbitrary things' (Foucault, 2001b: 1061). This was quite literally the critical task of the Cynic philosopher in ancient Greece: from his position of essential marginality and through the public manifestation of his scandalous behaviour, in fact, the Cynic shows to his fellow citizens that everything they accept as universal, necessary and obligatory is, on the contrary, singular, contingent and due to arbitrary constraints, thus inciting them to try to change things, in order not to be, not to do and not to think any longer what they are, what they do and what they think (Foucault, 1984a: 46). Cynicism as an attitude, a 'trans-historical' attitude (Foucault, 2011: 174, 179), is very close then to that modern attitude, to that philosophical *ethos* described by Foucault in *What Is Enlightenment?* as 'a permanent critique of our historical being' (Foucault, 1984a: 42, translation modified). On the contrary, in Hadot's work the permanent critique of our historical being is replaced by the search for an ahistorical *élan*, always available to every human being, which pushes the subject to transcend his particular, individual self and to reach the universal perspective of cosmic Reason. The universalizing jump of the self in the *cosmos* represents indeed, according to Hadot, an 'eternal' possibility for human beings (Hadot, 1995: 212; 1998b: 310). The question is: what kind of (social and political) criticism does this universalizing jump make possible?

From a Foucaultian point of view, no real and effective criticism can be elaborated and put into practice unless we assume a radically immanent

position, taking into account the complex framework of power relations that structures our lives. In other words, according to Foucault, criticism never comes from outside or from above: it is always a struggle, a concrete attempt to reverse one or more power relations that affect us directly.

> [W]hat I mean by *power relations* is the fact that we are in a strategic situation toward each other. [...] It means that we always have possibilities, there are always possibilities of changing the situation. We cannot jump *outside* the situation, and there is no point where you are free from all power relations. But you can always change it. So what I've said does not mean that we are always trapped, but that we are always free—well, anyway, that there is always the possibility of changing. (Foucault, 1997: 167)

This is why, even if Hadot tries to emphasize moral perfectionism's closeness to spiritual exercises, defining it as 'a movement toward a higher self' (Hadot, 2002: 380), Cavell's perspective on ethics and politics seems to me much closer to Foucault's. Things are quite complex, though, since Cavell gives a lot of different definitions and unassimilable descriptions of moral perfectionism. In *This New Yet Unapproachable America*, for instance, he identifies moral perfectionism with 'Emerson's conception of his work as a writer', that is to say: 'attracting the human [...] to the work of becoming human' (Cavell, 1989: 10). Then, Cavell quotes Thoreau: 'Not till we are lost [or turned around], in other words, not till we have lost the world, do we begin to find ourselves, and realize where we are and the infinite extent of our relations' (Cavell, 1989: 36). Philosophy 'begins in loss' and ends with a recovery that assumes the form of a 'finding of the world', of a 'returning of it, to it' (Cavell, 1989: 114), made possible by a turn, or return 'to, of, from the self' (Cavell, 1990: xxx). In short, moral perfectionism asks us to acknowledge that we have a further or higher self not yet realized ('unattained'), and consequently, it urges us to start walking along the path of its realization (Cavell, 1990: 12, 51). This task requires, first and foremost, the 'courage to be what we are' (Cavell, 1990: 16) or, better, to *become* what we are and to be 'true to ourselves' – what Cavell also refers to as 'the task of accepting finitude' (Cavell, 2004: 4, 11).

These ideas seem dangerously close to what Foucault calls the 'Californian' or 'contemporary cult of the self' – whose goal is 'to discover one's true self, to separate it from that which might obscure or alienate it, [and] to decipher its truth thanks to psychological or psychoanalytic

science' (Foucault, 1984b: 362) – opposing it to the ancient culture of the self which, on the contrary, aimed not at discovering the hidden identity of the individual, but rather at equipping him with the tools necessary to *create* himself as the subject of his own actions. Indeed, according to Foucault, the subject is not given: it is constituted in 'real and historically analyzable practices' (Foucault, 1984b: 369, translation modified). However, despite appearances, the 'perfectionist' dimension of the moral life is very different from, and even radically opposed to, the Californian cult of the self, since Cavell explicitly criticizes contemporary 'false or debased perfectionisms' and considers such a critique as one of the essential tasks of Emersonian perfectionism (Cavell, 1990: 13, 16), whose core is not to be found in the return to a 'true self' that one should rediscover but rather in the perpetual invention of new 'selves' and the creation of new 'stages' in one's 'being oneself' – that is to say, in a journey continually projected onwards (Cavell, 1989: 12), since the human self 'is always becoming, [...] always partially in a further state' (Cavell, 2004: 26). As Cavell clearly claims, 'I assume no role for the idea of a true (or a false) self. Such an idea seems rather something imposed from outside oneself' (Cavell, 1990: xxxiv).

In sum, the inner dynamics of moral perfectionism is characterized not by the discovery of a given self but rather by the conversion, metamorphosis, reformation, transfiguration and revolution of oneself and, at the same time, of the others and society as a whole (Cavell, 1989: 43, 47; 1990: 46). This crucial link between the transformation of oneself and the transformation of society, as well as the above-mentioned tension between society as it stands and society as it may become, bears witness of the political dimension of moral perfectionism, making it much closer to Foucault's perspective than to Hadot's. Besides, Cavell clearly and firmly denies any role to transcendence: 'The direction out from illusion is not up, at any rate not up to one fixed morning star; but down, at any rate along each chain of a day's denial. Philosophy (as descent) can thus be said to leave everything as it is because it is a refusal of, say disobedient to, (a false) ascent, or transcendence' (Cavell, 1989: 46). Consequently, for Cavell as for Foucault, there is no 'vertical jump' in the direction of cosmic Reason: their perspectives on ethics and politics – or, better, on ethics *as* politics – remain within the immanence of this world, following the 'horizontal' dynamics of the passage from an individual to a collective form of resistance (Lorenzini, 2010b: 26–30). In other words, for them philosophy is a 'critical attitude', a specific *ethos* – at the same time political and moral – characterized by a permanent critique of our present, which takes the form of the critique of

ourselves as historical beings and is characterized by what Foucault calls 'the art of not being governed quite so much' (Foucault, 2007: 45).

> What is good, is something that comes through innovation. The good does not exist, like that, in an atemporal sky, with people who would be like the Astrologers of the Good, whose job is to determine what is the favorable nature of the stars. The good is defined by us, it is practiced, it is invented. And this is a collective work. (Foucault, 1988)

Note

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15

Resistance and Vulnerability: An Interview with Judith Butler*

Federica Sossi and Martina Tazzioli

— In your work you have often referred to Foucault. Do you want to explain how his work has been of paramount importance for you? What are the aspects of his thought that you feel are closest and most relevant to your own, and what, conversely, are the areas where you feel most distanced from Foucault's positions? Are there specific junctures in Foucault's work that you find produce an impasse for your reflections?

Judith Butler: In the 1980s it was clearly the first volume of *The History of Sexuality* that was most important for me, since it gave me a way to understand the clustering of various sexual and gendered functions under the category of 'sex' but also to show how repressive discourse produces and proliferates sexuality. We were all quite amazed by that analysis, even though some intimations of that could be found in Freud already. But perhaps most important for me was Foucault's brief discussion of homosexuality as a 'reverse-discourse'. It was important to understand that no matter how pathologizing original discourse on homosexuality had been, reversing that pathologization could be the point of a newer homosexual or gay/lesbian discourse. The point was not to convert a negative value into a positive one, but to produce a new field of values. Surely, we are living in such a time when that is actively happening.

I was certainly interested in the way the body and soul were described in *Discipline and Punish*, but I was sorry to see the lack of a sexual dimension in the analysis of incarceration. I probably took a break from Foucault for a while, but became interested again when I finally had access to *The Hermeneutics of the Subject* and then a series of lectures on parrhesia and on the relationship between speech and truth. I found the last lectures quite engaging, and they have helped me to think about

both the interlocutory conditions of autobiography, but also the way in which political speaking works.

— In the essay *Giving an Account of Oneself*, you insist on the impossibility of giving a full account of oneself; from this impossibility you gesture towards an ethics that builds on a constitutive dissatisfaction, that is, an ethics postulating that the other cannot give an account of himself/herself, either: 'In a sense, the ethical stance consists [...] in asking the question "Who are you?" and continuing to ask it without any expectation of a full or final answer' (Butler, 2005: 43). In other essays you analyse claims by certain authors, in particular Foucault and Arendt, where the philosophical claim is staged in such a way that allows for it to be suggested although denied or not fully embraced at the same time. Do you think there is a connection between these two perspectives, that is, the one from *Giving an Account of Oneself* and the one in the essays about Foucault and Arendt? Does the philosophical discourse, in some sense, need to be conveyed by 'not fully giving an account of oneself'?

J.B.: It seems clear to me that the speaking subject in Arendt is one who both appears and acts in public, and this is done with and for others. So it is not a scene of an individual alone but rather a scene of address. This is certainly close to the forms of self-exposition or demonstration that Foucault talks about in his essays on medieval modes of self-constitution. Neither of these subjects is primarily offering a story or narrative account of what they have done or why. Rather, they are appearing as a speaking being who is producing effects, constituting the self and transfiguring the scene of address in which they appear. Foucault moves away from confession, as we know, and also the presumption that it is a judge or psychiatric representative of the police force to whom we have to make our story known. There is a power in speech, and it the capacity for self-constitution and self-care that exceeds the bounds of the scene of interrogation and judgement.

For Arendt, the situation is different only because Eichmann is so central to her reflections on this issue. In this case, however, she is less interested in a psychological or biographical account of why he has done what he has done, but only that he has done it, and that he be told, quite clearly, that his acts constitute crimes against humanity. She savours judgement, whereas Foucault does not. But for her, judgement has a Kantian dimension that is bound up with aesthetics, and so judgement is an active exercise of autonomy. Eichmann lacked judgement and acted from a lack of judgement, and it is on that basis that he is judged. The court of law is important for her, although she wants it to

be international rather than national. And in the end, she wants judges to act as Kantian subjects, so philosophy proves to be the true authority behind good legal judgement.

— In recent years, referring to authors like Levinas and Arendt, you have been elaborating a conception of the ethical subject in which the constitution of subjectivity itself as well as the ethical possibility of the subject but also its capacity to think and the very possibility of a critical gesture are possible only through a scene 'populated' by others and through the exposure of the subject to different forms of alterity. At the same time, you also stress the capacity of agency of the subject in constituting itself as an ethical subject. Do you think that the reflection of the late Foucault concerning the work of transformation of the self could be useful for thinking the ethical subject that you address and to what extent do you make reference to it? In other words, if on the one hand you radically challenge the reference to a self-mastery that the last reflections of Foucault seem in part to postulate and to indicate, are there any aspects of the Foucaultian ethics of the self that in your view are relevant in order to articulate the ethical practice and its critical function?

J.B.: I am sure that the late Foucault is quite important for thinking through this process, though I am wondering how, for instance, one would approach a Foucaultian theory of vulnerability? It is my sense that many of the most recent and effective public mobilizations involve enacting a certain body politic in concert. The bodies on the street are not only agentic and relational but also precarious. They are precarious at the moment that they appear on the street, but they are also there to bring attention to a more systematically induced precarity – the loss of jobs, homes, health insurance, the accumulation of unpayable debt, leading either to a sense of no futurity or one marked by what Hegel would call 'a bad infinity'.

It seems clear that the late Foucault helps me to think about speech, of speaking back to power, and to ways of moving beyond the protocols of self-defence and self-justification. There is clearly a performative dimension to speaking in some of the late work and a presumption that self-constitution happens in relation to others. So all this is most helpful, but I wonder if the embodied dimension of speaking, including the predicament of speaking as or from the body in a condition of precarity can be thought well enough through that work. It is clear that Foucault was himself speaking and writing as he was ill and surely grasping the conditions of his own precarity. Understanding in a non-reductive way how that sense of a historically induced evanescence

entered into his final reflections on law and *parrhesia* would be of great interest to me.

— We would like to refer to your text 'What is Critique? An Essay on Foucault's Virtue' since it seems to us that your way of articulating the Foucaultian notion of 'regime of truth' goes beyond the production of a partition between true and false by showing instead the production of a partition between lives that matter and lives that do not matter. You have developed this last point in many of your following works. But pointing at the very partition between lives that matter and lives that do not matter, are you are also addressing a modality of recognition basically grounded on a binary division? And, if so, do you think that there is a fundamental partition at stake in our present that is also a condition for the production of all others?

J.B.: I think that most recently I have started to talk about an unequal distribution of grievability, which suggests that there are a variety of gradations. Indeed, we would probably have to distinguish among lives that are hyper-grievable, who come to stand symbolically for a nation, those who are more or less grievable, those who are consistently less grievable, and then those who are never grievable, foreclosed from the possibility. I am not producing new categories as much as I am trying to indicate that degrees of grievability shift depending on the historical context and that some populations are hyper-grievable in one context and quite ungrievable in another. Similarly, we might say that even within a single, broadly delimited context, lives can be simultaneously grievable and not, and public discourse can be confounded by the question of whether and how to grieve certain losses. To say that grievability shifts in this way is to say as well that modes of disavowing and discarding life shift in this way as well.

— According to Foucault, *parrhesia* is a way of truth-telling that produces a scandal and that entails the exposure of the subject to a risk. Defining *parrhesia* as an attitude, Foucault seems to recall his definition of critique that you have also largely analysed in your essay. However, the production of the scandal is internal to a 'parrhesiastic game' – as Foucault remarks – that ultimately defines the space and the perimeter in which the parrhesiastic speech is uttered. Do you think that this space could be effectively disrupted through the parrhesiastic scandal? And do you envisage the practice of *parrhesia* as pertaining to the regime of the performative?

J.B.: I certainly understand *parrhesia* as part of the domain of performativity, but I am not sure I would call it 'a regime'. Nor am I altogether clear whether the metaphor of the 'game' (and 'game theory')

is altogether helpful. Are we speaking about a game, a regime or some more shifting and provisional speech situation? Is *parrhesia* presumed to be performed or exercised by an individual? What about groups that sing or chant or engage in silent actions? Do they count as part of parrhesiastic practice? If *parrhesia* defines the speech situation in which it occurs, then it is clearly performative but in a way that moves beyond Bourdieu's definition. My questions remain, though: does it matter that it is a speaking body that engages in *parrhesia* and that it is located somewhere and has the shifting of the terms of location as part of its aim? Can there be concerted *parrhesia*, that is, an alliance of speakers, and even if they do not act or speak in unison, can that convergence of voices, gestures and actions be considered parrhesiastic?

— In your reading of Foucault, one of the sentences you often linger on is the following: 'How does it come to be that the human subject makes himself into an object of possible knowledge, through which forms of rationality, through which historical conditions, and, finally, at what price?' (Foucault in Butler, 2005: 120). In an interview with Vikki Bell (2010), you come back to this sentence going beyond that, since you relate it to the criteria of exclusion that determine what can be called the 'scales of productivity' of subjects and their being recognizable as subjects and bringing attention to the fact that the non-recognizability of some is necessarily constitutive of the subjectivity of others. Here, you recall the sentence: 'At what price do any of us get produced as subjects?' Could you clarify this question? And is the 'price to be paid' also in this case the price that the subject that is produced allows to be paid by others in terms of exclusion or as not being recognizable?

J.B.: I do think that every regime of rationality has its own constitutive outside, which means that it must produce and maintain the non-rational or irrational outside of its boundary. The subject who emerges through that regime of rationality establishes his or her intelligibility within that regime (we might think of the 'his or her' as a key logical operator of one binary regime of gender). The formation of the subject is, however, not commensurate with the establishment of its intelligibility. After all, it is not just that the non-rational is posited outside the regime, but for every subject, the non-rational is produced as part of its less intelligible constitution. In this way, it is important to see that subject formation within a matrix of intelligibility always partially fails, since it cannot happen without positing its 'outside' as interior to the subject itself, the abiding spectre of its undoing.

At the same time, we have to think about this risk and this loss in terms of the managing of populations, of biopolitics and governmentality

both. Although I know Foucault's work on neoliberalism less well, it is clear that certain forms of ordering the subject clearly imply unequal and uneven forms of assimilation to that rationality. My sense is that precarity is induced by neoliberal regimes of rationality as its necessary condition and outside. For the self-maximizing subject is a norm that implies a differential realization of its aims. Foucault is generally less concerned with recognition than I am. I bring that concern forward from my engagement with Hegel. But he is the one who often underscores that escaping from prevailing norms of recognition can be the condition of freedom itself. I am always working, it seems, with the need for new forms of recognition to condition liveable life at the same time as I am wary of forms of recognition, sometimes the very same forms, that under certain circumstances can make life less than liveable.

— In your last book, *Parting Ways* (2012), you reflect on the possibility of an ethical life through the notion of unchosen cohabitation, mainly addressing Arendt's work. In some passages of your essay you stress the element of non-freedom that is constitutive of that condition. Instead, Foucault defines ethics as 'the reflected practice of freedom'. This last aspect seemed to be at stake in some of your reflections on ethics which stressed rather the element of the claim. Could you dwell upon this aspect?

J.B.: I appreciated Foucault's definition, but I am led to wonder about how the unchosen dimensions of life can themselves become the occasion for a reflected practice of freedom. After all, what is 'reflected' is not simply this self that I am and not simply the freedom that I exercise, but also the limits on that exercise and the rather recalcitrant ways that history works on any of us. As Foucault would doubtless agree, freedom becomes possible only under certain conditions, and some of those conditions are not freely chosen. So, it seems important to think, for instance, about unchosen dimensions of sociality and proximity, of embodiment and lineage. Reflecting on them does not transform them into expressions of freedom but rather circumscribes the embodied and historical conditions under which a certain version of freedom becomes possible. Arendt and Foucault both clearly have a way of understanding freedom as an exercise or a practice, thus moving us away from freedom as a natural endowment or an *a priori* condition. But where it seems that Arendt specifies certain forms of political freedom, such as revolution, as concerted action, I have a more difficult time finding an equivalent to that notion in Foucault. Perhaps the category of the 'subject' or even 'the self' works across the individual/social distinction in Foucault, but it does not seem to do enough to establish the unchosen, historical and

embodied dimensions of sociality or the forms of freedom that we might understand as undertaken by alliances.

— Recently you have insisted a lot on the idea of vulnerability as the condition which constitutes ourselves as subjects and at once as the condition which allows us to rethink our ethical being and our ethical acting, as well. However, according to many scholars, vulnerability works today as one of the main modalities through which subjects are produced within the government of the humanitarian. How do you situate yourself in comparison to this perspective? Don't you think that when categories become object of power's discourse, there is the risk of their weakening and subsumption?

J.B.: It is clear that the identification of 'vulnerable populations' by NGOs (non-governmental organizations) and humanitarian agencies works to deny such groups their history and their agency, including their powers of resistance. But my aim is to think vulnerability and resistance together. In fact, that is the name of a group of feminists I am convening in Istanbul in September 2013. In the United States, national military policy is often governed by an ideal of radical invulnerability, and this means that vulnerability ought to be distributed among other nations and peoples. This way of exporting vulnerability is both justified and enacted in military policy, such that the US secures the impermeability of its own borders only by invading the borders of those whose land or infrastructure it seeks to secure for its own military and economic purposes. One might understand the humanitarian preoccupation with managing 'vulnerable populations' as the necessary complement of that military policy that targets and produces disproportionately vulnerable populations. My own view is that vulnerability has to be rethought as interdependency, and anti-militarist interventions at a global level have to affirm the necessary interconnection of populations. So I do think my view of vulnerability is part of a broader view of global mobilization and seeks to criticize both militarism and forms of humanitarian power that serve as its complement.

— In your reflection on unchosen cohabitation it seems that the reference to the right to belong that you formulate in the sentence, by referring to Arendt, 'everyone has a right to belong to a place, that right belongs to everyone regardless of the place to which they belong' plays as an ethical possibility that, despite having to be rearticulated from time according to circumstances, is in some sense trans-historical. It seems to us that on this point there is a difference in comparison to your works on recognition, where you stress the historicity of the normative frameworks of the scene of recognizability, relating in this way to the

Foucaultian reflection addressed to underlining the historical dimension of the constitution of the subject.

J.B.: Probably, it is important to note first that I read Foucault and I read Arendt, but I am neither a Foucaultian nor an Arendtian. I think Arendt's formulation is at once historical and generalizable and that it can only be understood through a kind of double-lens. She is making a normative claim, namely, that everyone has a right to a place. But she understands that, descriptively speaking, not everyone has a place to which they belong. She is writing, let us remember, about refugees, those who have been expelled from the nation-state or who have never fully belonged (the Roma, for instance). So to say that everyone has a right to a place (in the sense of 'ought to have a right') even when they do not have a place means that no particular jurisdiction or locale ultimately furnishes that right. When there is no local or national jurisdiction that gives that right, the right still exists. But it is neither founded in reason nor nature nor any particular regime of positive law. On the contrary, Arendt is at this moment declaring the right through speech, which means that her declaration, like the Declaration of the Rights of Man, is a performative exercise. In a world increasingly full of refugees and exiles, those without citizenship rights or dispossessed of prior rights to land, the declaration of the right to belong is a kind of parrhesiastic speech. When Arendt makes the declaration, she is showing that the right is a function of its exercise.

— Finally, even though we do not want to make the mistake of asking you to give an account of yourself, establishing a narrative linearity, would you like to tell us what kind of connection you see between your analysis situated within a feminist horizon and your more recent work?

J.B.: Well, I certainly still work within a feminist horizon, to be sure, and perhaps it is possible now to think about forms of feminist thinking that do not at every moment have to be centred on the question of women or on gender. The work on vulnerability clearly comes from a long line of feminist thought but also the work on the public and private spheres. My early work on gender was focused on performativity, and that continues to be important to my understanding of political action in an embodied form. That early work was also focused on unmarked forms of loving and losing, especially under conditions of compulsory heterosexuality and pervasive homophobia.

Some of those same concerns with marking losses and establishing new terms that would make embodied life more liveable continue in my recent reflections on war and conflict. So I am perhaps still militating against imposed forms of melancholia and precarity, and this is

as important to think about for non-gender conforming people, trans people, sex workers as it is for populations living under occupation and/or subject to bombing, dispossession and destruction. I think perhaps that my bias in favour of nonviolence recurs throughout my work, as does the search for modes of recognition that make life more rather than less liveable.

Note

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